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**UNITED STATES DISTRICT COURT**

EASTERN DISTRICT OF CALIFORNIA

MATTHEW B. CRAMER,

CASE NO. 1:08-cv-01693-OWW-SMS

Plaintiff,

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, RECOMMENDING  
DENIAL OF DEFENDANT ERIC HELLER'S  
MOTION TO REVOKE PLAINTIFF'S IN  
FORMA PAUPERIS STATUS AND TO  
DECLARE PLAINTIFF A VEXATIONS  
LITIGANT (Doc. 43)

v.

TARGET CORPORATION, et al.,

Defendants.

(Doc. 50)

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Plaintiff Matthew Cramer is a prisoner proceeding pro se in a civil rights action pursuant to 42 U.S.C. § 1983, arising from injuries inflicted on him during his detention for shoplifting by store security personnel and local police. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 18, 2009, Defendant Eric Heller filed a motion challenging Plaintiff's filing of his complaint in forma pauperis and seeking to declare plaintiff a vexatious litigant (Doc.43). On January 6, 2010, the Magistrate Judge filed Findings and Recommendations recommending that Defendant Heller's motion be denied (Doc. 50). The Findings and Recommendations were served on the parties and contained notice to the parties that any objections to the Findings and Recommendations were to be filed within thirty days. On January 21, 2010, Defendant Heller filed objections to the findings and recommendations and supporting declarations (Docs. 51, 52 & 53).

1 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de*  
2 *novo* review of this case and has considered Defendant Heller’s objections. Having carefully  
3 reviewed the entire file, the Court finds the Findings and Recommendations to be supported by the  
4 record and proper analysis.

5 Accordingly, IT IS HEREBY ORDERED that:

- 6 1. The Findings and Recommendations, filed January 6, 2010, are adopted in full;
- 7 2. Defendant Eric Heller’s motion to revoke Plaintiff’s in forma pauperis status and to  
8 declare Plaintiff a vexatious litigant (Doc. 46) is DENIED; and
- 9 3. This matter is referred back to the Magistrate Judge for the resolution of other  
10 pending motions.

11 IT IS SO ORDERED.

12 **Dated: February 5, 2010**

/s/ Oliver W. Wanger  
UNITED STATES DISTRICT JUDGE

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