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IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

FLOYD SCOTT,

1:09-cv-01329-AWI-SMS-PC

Plaintiff,

ORDER ADOPTING FINDINGS  
AND RECOMMENDATIONS  
(Doc. 5)

vs.

J. PALMER, et al.,

ORDER DENYING PLAINTIFF'S MOTION TO  
PROCEED IN FORMA PAUPERIS  
(Doc. 2.)

Defendants.

ORDER FOR PLAINTIFF TO PAY \$350.00  
FILING FEE FOR THIS ACTION IN FULL  
WITHIN THIRTY (30) DAYS

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Floyd Scott (“plaintiff”) is a state prisoner proceeding pro se in this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 72-302.

On August 10, 2009, [findings and recommendations](#) were entered, recommending that plaintiff’s motion to proceed in forma pauperis be denied and that plaintiff be required to pay the filing fee in full for this action. (Doc. 5.) On August 19, 2009, plaintiff filed a [notice of non-opposition](#) to the findings and recommendations. (Doc. 7.)

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 73-305, this court has conducted a de novo review of this case. Having carefully reviewed the entire

1 file, the court finds the findings and recommendations to be supported by the record and proper  
2 analysis.

3 Accordingly, THE COURT HEREBY ORDERS that:

4 1. The Findings and Recommendations issued by the Magistrate Judge on August 10,  
5 2009, are ADOPTED in full;

6 2. Plaintiff's motion to proceed in forma pauperis, filed on July 29, 2009, is  
7 DENIED; and

8 3. Plaintiff is REQUIRED to pay the \$350.00 filing fee in full for this action, within  
9 thirty days from the date of service of this order. To pay the filing fee, Plaintiff shall send a cashier's  
10 check or money order, referring to case number 1:09-cv-01329-AWI-SMS-PC, for \$350.00 made  
11 payable to the United States District Court, to:

12 United States District Court  
13 Clerk's Office  
14 2500 Tulare Street, Room 1050  
15 Fresno, CA 93721

16 IT IS SO ORDERED.

17 **Dated: October 16, 2009**

/s/ Anthony W. Ishii  
CHIEF UNITED STATES DISTRICT JUDGE