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**UNITED STATES DISTRICT COURT**  
EASTERN DISTRICT OF CALIFORNIA

WILL MOSES PALMER, III,  
  
                    Plaintiff,  
  
          v.  
  
DR. RICHARD P. BERKSON, et al.,  
  
                    Defendants.

Case No. 1:11-cv-01882-LJO-MJS (PC)

**ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS REVOKING  
PLAINTIFF'S IN FORMA PAUPERIS  
STATUS AND REQUIRING PAYMENT OF  
FILING FEE IN FULL WITHIN TWENTY-  
ONE DAYS**

**(ECF No. 17)**

**TWENTY-ONE DAY DEADLINE**

Plaintiff Will Moses Palmer III is a state prisoner proceeding pro se and in forma pauperis in this civil rights action filed 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 302 of the United States District Court for the Eastern District of California.

On December 31, 2013, the Magistrate Judge issued findings and recommendations (ECF No. 17) that Plaintiff's IFP status should be revoked because he accrued three or more strikes and was not under imminent danger of serious physical harm at the time this action was initiated, 28 U.S.C. § 1915(g); and that he be required to pay the \$400 filing fee in full within twenty-one days of adoption of the findings and recommendations. (ECF No. 17.) Any objection to the findings and recommendations was due by January 17, 2014. (Id.)

1 The January 17, 2014 deadline passed without any party filing objections or seeking further  
2 extension of time to do so.

3 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has  
4 conducted a de novo review of this case. Having carefully reviewed the entire file, the Court  
5 finds the findings and recommendations to be supported by the record and by proper  
6 analysis.

7 Accordingly, it is HEREBY ORDERED that:

- 8 1. The Court adopts the findings and recommendations filed on December 31,  
9 2013 (ECF No. 17) in full,
- 10 2. Plaintiff's in forma pauperis status (ECF No. 3) is REVOKED,
- 11 3. Plaintiff shall PAY THE \$400 FILING FEE in full within twenty-one days of  
12 service of this order, and
- 13 4. If Plaintiff fails to pay the \$400 filing fee in full within twenty-one days of  
14 service of this order, all pending motions shall be terminated and this action  
15 dismissed without prejudice.

16  
17 IT IS SO ORDERED.

18 Dated: January 21, 2014

/s/ Lawrence J. O'Neill  
UNITED STATES DISTRICT JUDGE