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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

GARY DALE BARGER,
Plaintiff,
v.
CDCR,
Defendant.

CASE NO. 1:14-cv-1500-LJO-MJS (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DENY
PLAINTIFF'S MOTION TO PROCEED IN
FORMA PAUPERIS AND REQUIRE
PAYMENT OF FILING FEES IN FULL
WITHIN TWENTY-ONE DAYS**

(ECF Nos. 6 & 9)

TWENTY-ONE (21) DAY DEADLINE

Plaintiff is a state prisoner proceeding pro se in this civil rights action brought 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.

On October 29, 2014, the Magistrate Judge issued findings and recommendations (ECF No. 9) to deny Plaintiff's motion to proceed in forma pauperis (ECF No. 6) and to require Plaintiff to pay the filing fee in full. Plaintiff did not object to the findings and recommendations and the time for doing so has passed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C) and Local Rule

1 304,, the Court has conducted a de novo review of this case. Having carefully reviewed
2 the entire file, the Court finds the findings and recommendations to be supported by the
3 record and by proper analysis.

4 Accordingly, it is HEREBY ORDERED that:

- 5 1. The Court adopts the findings and recommendations filed on October 29,
6 2014 (ECF No. 9), in full;
- 7 2. Plaintiff's motion to proceed in forma pauperis (ECF No. 6) is DENIED;
- 8 3. Plaintiff shall pay the \$400 filing fee in full within twenty-one days of entry
9 of this order; and
- 10 4. If Plaintiff fails to pay the \$400 filing fee in full by the above deadline, all
11 pending motions will be terminated and the action dismissed without
12 prejudice.

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14 IT IS SO ORDERED.

15 Dated: December 2, 2014

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

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