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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA  
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9 NOEL LEMUS,

1:14-cv-02030-KJM-GSA

10 Plaintiff,

11 v.

ORDER

12 COUNTY OF MERCED and  
13 DEFENDANT OFFICER DOES 1  
THROUGH 50,

14 Defendant.  
15

16 On December 19, 2014, plaintiff filed a civil complaint, as well as a motion to proceed *in*  
17 *forma pauperis*. ECF Nos. 1, 2. On January 6, 2015, the Magistrate Judge issued Findings and  
18 Recommendations that the motion be denied. ECF No. 5. The Findings and Recommendations  
19 were served on plaintiff with instructions that any objections be filed within fifteen (15) days. To  
20 date, no objections have been filed.


21 The court presumes that any findings of fact are correct. *See Orand v. United States*, 602  
22 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed de novo.  
23 *See Britt v. Simi Valley Unified School Dist.*, 708 F.2d 452, 454 (9th Cir. 1983). Having reviewed  
24 the file, the court finds the findings and recommendations to be supported by the record and by  
25 the proper analysis.

26 Accordingly, IT IS HEREBY ORDERED that:

- 27 1) The Findings and Recommendations dated January 6, 2015 (ECF No. 5), are  
28 ADOPTED IN FULL;

- 1                   2) The motion to proceed *in forma pauperis* filed by the Plaintiff on December 19,  
2                   2014 is DENIED;  
3                   3) Plaintiff shall pay the filing fee of \$400 within thirty (30) days of the entry of this  
4                   Order; and,  
5                   4) Failure to comply with this Order will result in the dismissal of this action for  
6                   failure to obey a court order.

7 DATED: February 11, 2015.

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12 UNITED STATES DISTRICT JUDGE  
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