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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SEAVON PIERCE,
Plaintiff,
v.
U.S. CONGRESS,
Defendant.

No. 1:16-cv-01282-DAD-MJS
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND
SUPPLEMENTAL FINDINGS AND
RECOMMENDATIONS, DENYING
MOTION TO PROCEED *IN FORMA
PAUPERIS*, AND DENYING PLAINTIFF'S
REQUEST
(Doc. Nos. 2, 4, 8, 16)
FILING FEE DUE WITHIN 30 DAYS

Plaintiff Seavon Pierce is a state prisoner proceeding pro se in a civil action. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302. On September 30, 2016, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff's motion to proceed *in forma pauperis* be denied because he has suffered three or more dismissals constituting strikes under 28 U.S.C. § 1915(g) and does not qualify to proceed *in forma pauperis* under the imminent danger exception. (Doc. No. 4.) On September 26, 2016, plaintiff filed objections to those findings and recommendations. (Doc. No. 5.) Based on new arguments raised by plaintiff therein, the assigned magistrate judge issued supplemental findings and recommendations, again recommending that plaintiff's motion to proceed *in forma pauperis* be denied. (Doc. No. 8.) On October 17, 2016, plaintiff again filed

1 objections. (Doc. No. 9.) On November 17, 2016, plaintiff filed a request with this court, again
2 challenging the assigned magistrate judge's findings and recommendations, and alternatively
3 requesting that this court set the filing fee in connection with this civil rights action at \$5.00.
4 (Doc. No. 16.)

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the court has conducted a
6 de novo review of this case. Having carefully reviewed the entire file, including plaintiff's
7 objections, the court finds the findings and recommendation to be supported by the record and by
8 proper analysis. Plaintiff's objections are without merit for the reasons stated by the magistrate
9 judge.

10 Accordingly,

- 11 1. The September 13, 2016 findings and recommendations (Doc. No. 4) and the
12 September 30, 2016 supplemental findings and recommendations (Doc. No. 8) are
13 adopted in full;
- 14 2. Plaintiff's motion to proceed *in forma pauperis* (Doc. No. 2) is denied;
- 15 3. Plaintiff is ordered to pay the \$400 filing fee in full within thirty (30) days of the date
16 of this order;
- 17 4. If plaintiff fails to comply with this order, the action will be dismissed; and
- 18 5. Plaintiff's request (Doc. No. 16) is denied as having been rendered moot by this order.

19 IT IS SO ORDERED.

20 Dated: November 23, 2016

21 
22 UNITED STATES DISTRICT JUDGE