

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

WALTER SHANE LANGSTON,
Plaintiff,
v.
THOMPSON, et al.,
Defendants.

No. 1:16-cv-01603-DAD-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS AND DENYING
MOTION TO PROCEED *IN FORMA*
PAUPERIS

(Doc. Nos. 8, 9)

Plaintiff Walter Shane Langston is a state prisoner proceeding *pro se* with 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 302.

On December 29, 2016, the assigned magistrate judge issued findings and recommendations recommending that plaintiff’s motion to proceed *in forma pauperis* be denied under 28 U.S.C. § 1915(g) and that plaintiff be required to pay the \$400.00 filing fee in full to proceed with this action. (Doc. No. 9.) The findings and recommendations were served on plaintiff and contained notice that objections thereto were to be filed within thirty days. Over thirty days have passed, and no objections have been filed.

In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the undersigned has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the

1 undersigned concludes the findings and recommendations are supported by the record and by
2 proper analysis.

3 Accordingly:


4 1. The findings and recommendations filed on December 29, 2016 (Doc. No. 9) are
5 adopted in full;

6 2. Plaintiff's applications to proceed *in forma pauperis* (Doc. No. 8) is denied; and

7 3. Plaintiff shall pay the required \$400.00 filing fee in full within thirty (30) days of this
8 order. Failure to comply with this order will result in dismissal of this case.

9 IT IS SO ORDERED.

10 Dated: April 19, 2017

11 
12 _____
13 UNITED STATES DISTRICT JUDGE
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28