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Accordingly,

- 1) The findings and recommendations dated December 12, 2016 (Doc. No. 4) are adopted in full;
- 2) The motion to proceed *in forma pauperis* filed by the plaintiff on November 17, 2016 (Doc. No. 2) is denied;
- 3) Plaintiff shall pay the filing fee of \$400 within thirty (30) days of the entry of this order in order to proceed with this action; and
- 4) Any failure on plaintiff's part to comply with this order by paying the required filing fee will result in the dismissal of this action.

IT IS SO ORDERED.

Dated: January 5, 2017

  
UNITED STATES DISTRICT JUDGE