

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 GUILLERMO TRUJILLO CRUZ,

12 Plaintiff,

13 vs.

14 STEBBINS, et al.,

15 Defendants.
16
17
18
19
20
21
22
23

1:17-cv-00789-AWI-GSA-PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS
(Doc. 7.)

ORDER REVOKING PLAINTIFF'S
IN FORMA PAUPERIS STATUS UNDER
28 U.S.C. § 1915(g)

ORDER VACATING ORDER GRANTING
APPLICATION TO PROCEED IN FORMA
PAUPERIS AND DIRECTING PAYMENT
OF INMATE FILING FEE BY CDCR
(Doc. 4.)

ORDER REQUIRING PLAINTIFF TO PAY
THE \$400.00 FILING FEE IN FULL
WITHIN THIRTY DAYS

ORDER DIRECTING CLERK TO SERVE
THIS ORDER ON THE DIRECTOR OF
THE CDCR AND THE COURT'S
FINANCIAL DEPARTMENT

24 Guillermo Trujillo Cruz ("Plaintiff") is a state prisoner proceeding *pro se* and *in forma*
25 *pauperis* with this civil rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a
26 United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

27 On April 30, 2018, [findings and recommendations](#) were entered, recommending that
28 Plaintiff's *in forma pauperis* status be revoked under 28 U.S.C. § 1915(g), and that Plaintiff be

1 required to submit the \$400.00 filing fee in full within thirty days. (Doc. No.7.) On May 31,
2 2018, Plaintiff filed [objections](#) to the findings and recommendations. (Doc. No. 10.)

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
4 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
5 including Plaintiff's objections, the court finds the findings and recommendations to be supported
6 by the record and proper analysis.

7 Accordingly, THE COURT HEREBY ORDERS that:

- 8 1. The findings and recommendations entered by the Magistrate Judge on April 30,
9 2018, are ADOPTED IN FULL; and
- 10 2. Plaintiff's *in forma pauperis* status is REVOKED, pursuant to 28 U.S.C. §
11 1915(g);
- 12 3. The court's order granting Plaintiff's application to proceed *in forma pauperis*
13 and directing payment of the filing fee by the CDCR, issued on June 12, 2017, is
14 VACATED;
- 15 4. Within thirty days of the date of service of this order, Plaintiff is required to pay
16 the \$400.00 filing fee in full for this action;¹
- 17 5. The Clerk is DIRECTED to serve a copy of this order on the Director of the CDCR
18 and the Court's Financial Department; and
- 19 6. Plaintiff's failure to comply with this order shall result in the dismissal of this
20 case.

21 IT IS SO ORDERED.

22 Dated: July 10, 2018

23 
24 SENIOR DISTRICT JUDGE

25
26
27 ¹ To date, the court has not received any payment for Plaintiff's filing fee in this case. (Court Financial
28 Records.) The filing fee for this action is \$350.00 plus a \$50.00 administrative fee. 28 U.S.C. § 1914. The \$50.00
administrative fee does not apply to persons granted *in forma pauperis* status. Id. Therefore, Plaintiff now owes a
\$400.00 filing fee.