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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

WAYNE JEROME ROBERTSON,  
Plaintiff,  
v.  
D. GARCIA and B. JONES,  
Defendants.

No. 1:17-cv-01022-DAD-BAM

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS, DENYING  
MOTION TO PROCEED *IN FORMA*  
*PAUPERIS*, AND DIRECTING PLAINTIFF  
TO SUBMIT FILING FEE

(Doc. Nos. 7, 8)

Plaintiff Wayne Jerome Robertson is an inmate proceeding *pro se* in 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 of this court.

On September 18, 2017, the assigned magistrate judge issued findings and recommendations recommending that plaintiff’s application to proceed *in forma pauperis* be denied and that plaintiff be required to pay the \$400.00 filing fee in full to proceed with this action. (Doc. No. 8.) Those findings and recommendations were served on plaintiff and contained notice that any objections thereto were to be filed within fourteen days after service. (*Id.* at 2.) No objections were filed, and the time in which to do so has now passed.

In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), the undersigned has conducted a *de novo* review of the 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 For these reasons:

- 4 1. The findings and recommendations issued on September 18, 2017 (Doc. No. 8) are  
5 adopted in full;
- 6 2. Plaintiff's motion to proceed *in forma pauperis* (Doc. No. 7) is denied; and
- 7 3. Plaintiff is directed to pay the \$400.00 filing fee within twenty-one (21) days of service of  
8 this order. If plaintiff fails to pay the full filing fee as required within the specified in this  
9 order, this action will be dismissed; and
- 10 4. The matter is referred back to the assigned magistrate judge for further proceedings  
11 consistent with this order.

12 IT IS SO ORDERED.

13 Dated: December 4, 2017

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16 UNITED STATES DISTRICT JUDGE  
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