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6 **UNITED STATES DISTRICT COURT**
7 **EASTERN DISTRICT OF CALIFORNIA**
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9 JESSE L. YOUNGBLOOD,

10 Plaintiff,

11 v.

12 D. URIBE, *et al.*

13 Defendants.
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Case No. 1:17-cv-01132-AWI-EPG (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS TO DENY
PLAINTIFF'S APPLICATION TO
PROCEED IN FORMA PAUPERIS, AND
REQUIRE PAYMENT OF THE FILING
FEE**

(ECF Nos. 2, 10, 11)

THIRTY (30) DAY DEADLINE

16 Jesse L. Youngblood ("Plaintiff") is a state prisoner proceeding *pro se* in this civil
17 rights action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States
18 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

19 On August 23, 2017, Plaintiff filed an application to proceed *in forma pauperis*. (ECF
20 No. 2). On January 26, 2018, the Magistrate Judge issued findings and recommendations
21 recommending that Plaintiff's application to proceed *in forma pauperis* be denied, and that
22 Plaintiff be required to pay the \$400 filing fee. (ECF No. 10). The findings and
23 recommendations were served on Plaintiff, and contained instructions that any objections
24 thereto must be filed within thirty days.

25 On February 15, 2018, Plaintiff filed, "Ex Parte Motion for I the (Petitioner/Appellant)
26 in Pursuant to Ca. Penal Code P.C. (s)2601,967,422.75,1007,1009,1404,166,1253,102,1108,
27 and 9,132 et. seq.: and Fed. R. Civ. P. 60 and 60(a) Federal Local Rules: and F.R.A.P. (3d) 'I
28 Rubuke/Rebuttal [sic] as Waiver Estoppel' and/or 'Objections to Magistrate Judge's Findings

1 and/or Recommendations.” (ECF No. 11). That filing is best read as objections to the
2 Magistrate Judge’s findings and recommendations.

3 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(C), this Court has
4 conducted a *de novo* review of the case. None of Plaintiff’s objections provide a legal basis on
5 which to question the Magistrate Judge’s findings and recommendations. Having carefully
6 reviewed the entire file, the Court concludes that the Magistrate Judge’s findings and
7 recommendations are supported by the record and by proper analysis.

8 Based on the foregoing,

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- 10 1. The Findings and Recommendations filed on January 26, 2018, (ECF No.
11 10), are adopted in full;
 - 12 2. Plaintiff’s application to proceed *in forma pauperis*, (ECF No. 2), is denied;
 - 13 3. To the extent Plaintiff’s objections, (ECF No. 11), are to constitute a motion
14 for relief, it is denied; and
 - 15 4. Within thirty (30) days from the date of service of this order, Plaintiff shall
16 pay the \$400 filing fee or the action will be dismissed.

17 IT IS SO ORDERED.

18 Dated: April 13, 2018

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20 SENIOR DISTRICT JUDGE