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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

HARLEY FINNEY,

 Plaintiff,

 v.

PHI, et al.,

 Defendants.

Case No. 1:17-cv-01541-DAD-BAM (PC)

ORDER DENYING PLAINTIFF’S MOTION
TO PROCEED *IN FORMA PAUPERIS* AS
MOOT
(ECF No. 9)

ORDER VACATING FINDINGS AND
RECOMMENDATIONS REGARDING
PLAINTIFF’S MOTION TO PROCEED *IN*
FORMA PAUPERIS
(ECF No. 13)

Plaintiff Harley Finney (“Plaintiff”) is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983.

On January 10, 2018, the undersigned 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. (ECF No. 13.) Those findings and recommendations were served on Plaintiff and contained notice that any objections thereto were to be filed within fourteen (14) days after service. (*Id.* at 3.) No objections were filed.

On March 12, 2018, before the assigned District Judge had ruled on the pending findings and recommendations, Plaintiff submitted the \$400.00 filing fee in full.

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Accordingly, Plaintiff's motion to proceed *in forma pauperis*, (ECF No. 9), is HEREBY DENIED as moot, and the findings and recommendations to deny Plaintiff's motion for leave to proceed *in forma pauperis*, (ECF No. 13), are VACATED. Plaintiff's complaint will be screened in due course.

IT IS SO ORDERED.

Dated: April 30, 2018

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE