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6 UNITED STATES DISTRICT COURT  
7 EASTERN DISTRICT OF CALIFORNIA  
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9 DERRICK L. JOHNSON,

10 Plaintiff,

11 v.

12 SCOTT KERNAN,

13 Defendant.  
14

Case No. 1:18-cv-00887-LJO-EPG (PC)

ORDER ADOPTING FINDINGS AND  
RECOMMENDATIONS  
(ECF NO. 5)

ORDER DENYING PLAINTIFF'S  
REQUEST TO PROCEED IN FORMA  
PAUPERIS  
(ECF NO. 1)

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

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17 Derrick Johnson ("Plaintiff") is a state prisoner proceeding *pro se* with this civil rights  
18 action filed pursuant to 42 U.S.C. § 1983. The matter was referred to a United States  
19 magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

20 On July 6, 2018, Magistrate Judge Erica P. Grosjean entered findings and  
21 recommendations, recommending Plaintiff's request to proceed in forma pauperis be denied  
22 and that Plaintiff be required to pay the \$400 filing fee in full if he wants to proceed with this  
23 action. (ECF No. 5).

24 Plaintiff was given an opportunity to object to the findings and recommendations. The  
25 deadline for filing objections has passed, and Plaintiff has not filed objections to the findings  
26 and recommendations (he did appeal (ECF No. 7), but his appeal was dismissed (ECF Nos. 10  
27 & 13)).

28 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this

1 Court has conducted a de novo review of this case. Having carefully reviewed the entire file,  
2 the Court finds the findings and recommendations to be supported by the record and proper  
3 analysis.

4 Accordingly, IT IS ORDERED that:

- 5 1. The findings and recommendations issued by the magistrate judge on July 6,  
6 2018, are ADOPTED IN FULL;
- 7 2. Plaintiff's request to proceed in forma pauperis (ECF No. 1) is DENIED;
- 8 3. Plaintiff shall pay the \$400 filing fee in full within thirty days from the date of  
9 service of this order if he wants to proceed with this action; and
- 10 4. Failure to pay the filing fee within thirty days from the date of service of this  
11 order will result in the dismissal of this action.

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13 IT IS SO ORDERED.

14 Dated: September 22, 2018                      /s/ Lawrence J. O'Neill  
15 UNITED STATES CHIEF DISTRICT JUDGE