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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

KAHEAL PARRISH,
Plaintiff,
v.
BUGARIN, et al.,
Defendants.

Case No. 1:19-cv-00490-BAM (PC)
**ORDER DIRECTING CLERK OF COURT TO
RANDOMLY ASSIGN DISTRICT JUDGE TO
ACTION**
**FINDINGS AND RECOMMENDATIONS
RECOMMENDING PLAINTIFF’S MOTION
FOR LEAVE TO PROCEED IN FORMA
PAUPERIS BE DENIED**
(ECF Nos. 2, 6)
FOURTEEN (14) DAY DEADLINE

Plaintiff Kaheal Parrish (“Plaintiff”) is a state prisoner proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. Plaintiff initiated this action on April 15, 2019, together with a motion requesting leave to proceed *in forma pauperis* pursuant to 28 U.S.C. § 1915. (ECF Nos. 1, 2.) A certified copy of Plaintiff’s trust account statement was filed on April 16, 2019. (ECF No. 6.)

Examination of these documents reveals that Plaintiff is able to afford the costs of this action. Specifically, during the prior six months Plaintiff has held an average monthly balance of \$8,956.88 in his account. His current balance is \$7,175.11.

Accordingly, the Court **HEREBY ORDERS** the Clerk of the Court to randomly assign a District Judge to this action.

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Further, it is HEREBY RECOMMENDED that:

1. The motion to proceed in forma pauperis (ECF No. 2) be DENIED; and
2. Plaintiff be ORDERED to pay the \$400 initial filing fee in full to proceed with this action.

These Findings and Recommendations will be submitted to the United States District Judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **fourteen (14) days** after being served with these Findings and Recommendations, Plaintiff may file written objections with the court. The document should be captioned “Objections to Magistrate Judge’s Findings and Recommendation.” Plaintiff is advised that the failure to file objections within the specified time may result in the waiver of the “right to challenge the magistrate’s factual findings” on appeal. Wilkerson v. Wheeler, 772 F.3d 834, 839 (9th Cir. 2014) (citing Baxter v. Sullivan, 923 F.2d 1391, 1394 (9th Cir. 1991)).

IT IS SO ORDERED.

Dated: April 19, 2019

/s/ Barbara A. McAuliffe
UNITED STATES MAGISTRATE JUDGE