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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

GINNY RENE BURNS,
Plaintiff,
v.
COUNTY OF FRESNO, et al.,
Defendants.

No. 1:19-cv-00519-DAD-EPG

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS

(Doc. Nos. 2, 4)

Plaintiff Ginny Rene Burns is proceeding *pro se* in this action. Along with the complaint, plaintiff filed a motion to proceed *in forma pauperis*. (Doc. No. 2.) The matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On April 25, 2019, the assigned magistrate judge issued an order denying plaintiff's motion to proceed *in forma pauperis* without prejudice and directing plaintiff to file a properly completed application to proceed *in forma pauperis* within 30 days of the date of that order. (Doc. No. 3.) However, plaintiff did not file a corrected or completed application.

Accordingly, on September 11, 2019, the assigned magistrate judge issued findings and recommendations, recommending that plaintiff be required to pay the filing fee and that if plaintiff failed to pay the fee within thirty (30) days of the date the order adopting the findings and recommendations, then plaintiff's case be dismissed without prejudice for failure to pay the filing fee. (Doc. No. 4.) The pending findings and recommendations were served on plaintiff and

1 contained notice that any objections thereto were to be filed within thirty (30) days from the date
2 of service. (Doc. No. 4 at 2.) The period for filing objections has passed and no objections have
3 been filed. Moreover, plaintiff has not filed a corrected or completed application to proceed *in*
4 *forma pauperis* and has not paid the required filing fee as directed.

5 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(B) and Local Rule 304, this
6 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file, the
7 court finds the pending findings and recommendations to be supported by the record and proper
8 analysis.

9 Accordingly:

- 10 1. The findings and recommendations issued on September 11, 2019 (Doc. No. 4) are
11 adopted in full;
- 12 2. Plaintiff shall pay the \$400 filing fee in full within 30 days of the date of this
13 order; and
- 14 3. If plaintiff fails to pay the filing fee in compliance with this order, this action will
15 be dismissed without prejudice.

16 IT IS SO ORDERED.

17 Dated: December 9, 2019

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19 _____
20 UNITED STATES DISTRICT JUDGE