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8   UNITED STATES DISTRICT COURT

9   FOR THE EASTERN DISTRICT OF CALIFORNIA

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11   JAMES GREGORY GARCIA,   No. 1:20-cv-00669-DAD-JLT (PC)

12   Plaintiff,

13   v.   ORDER ADOPTING FINDINGS AND
                                              RECOMMENDATIONS AND DENYING
14   RALPH M. DIAZ, et al.,   PLAINTIFF'S MOTION TO PROCEED *IN
                                              FORMA PAUPERIS*
15   Defendants.
                                              (Doc. Nos. 2, 8)
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19   Plaintiff James Gregory Garcia is a state prisoner proceeding *pro se* in this civil rights

20   action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge

     pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.
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          On May 14, 2020, the assigned magistrate judge issued findings and recommendations
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     recommending that plaintiff's application to proceed *in forma pauperis* be denied and that
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     plaintiff be required to pay the required $400.00 filing fee in full to proceed with this action,
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     having concluded that plaintiff possessed sufficient funds in his inmate account for the six months
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     preceding the filed motion. (Doc. No. 8.) Those findings and recommendations were served on
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     plaintiff and contained notice that any objections thereto were to be filed within fourteen (14)
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     days from the date of service. (*Id.* at 2.) To date, no objections to the pending findings and
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recommendations have been filed with the court, and the time in which to do so has now passed.

On June 4, 2020, plaintiff filed an amended complaint in this action. (Doc. No. 10.) The docket reflects that plaintiff paid the requisite $400.00 filing fee in full on June 10, 2020.

Accordingly, in light of plaintiff's payment of the filing fee,

1. The court adopts the findings and recommendations issued on May 14, 2020 (Doc. No. 8);

2. Plaintiff's application to proceed *in forma pauperis* (Doc. No. 2) is denied;

3. The court acknowledges that plaintiff has paid the required filing fee and that this action may now proceed; and

4. This case is referred back to the assigned magistrate judge for further proceedings.

IT IS SO ORDERED.

Dated: **November 20, 2020**   _____
                                                    UNITED STATES DISTRICT JUDGE