

1 plaintiff and contained notice that any objections thereto were to be filed within thirty (30) days
2 from the date of service. (*Id.*) On November 12, 2020, plaintiff timely filed objections. (Doc.
3 No. 4.) Plaintiff also filed a motion to proceed *in forma pauperis* concurrently with his
4 objections. (Doc. No. 3.)

5 Plaintiff's objections appear to outline his contention that he has been in imminent danger
6 since December 2013. (Doc. No. 4 at 3.) However, the findings and recommendations concluded
7 that plaintiff was not in imminent danger because he filed this action over 15 months after the
8 events alleged in his complaint occurred. (Doc. No. 2 at 2.) Plaintiff's objections fail to address
9 that conclusion or to otherwise explain how he was in imminent danger at the time he filed his
10 complaint in this action.

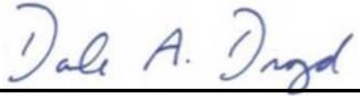
11 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a
12 *de novo* review of this case. Having carefully reviewed the entire file, including plaintiff's
13 objections (Doc. No. 4), the court finds the findings and recommendations to be supported by the
14 record and by proper analysis.

15 Accordingly,

- 16 1. The findings and recommendations issued on October 22, 2020 (Doc. No. 2) are
17 adopted in full;
- 18 2. Plaintiff's motion to proceed *in forma pauperis* (Doc. No. 3) is denied;
- 19 3. Within thirty (30) days from the date of service of this order, plaintiff is required
20 to pay in full the \$402.00¹ filing fee for this action;
- 21 4. Plaintiff's failure to pay the required filing fee as ordered will result in the
22 dismissal of this action without prejudice; and
- 23 5. This case is referred back to the assigned magistrate judge for further proceedings.

24 IT IS SO ORDERED.

25 Dated: December 10, 2020

26 
UNITED STATES DISTRICT JUDGE

27 _____
28 ¹ The court's previous order (Doc. No. 5) mistakenly listed the filing fee as \$405.00. This amended order reflects only this correction of the required filing fee amount.