

1 Coronavirus Aid, Relief and Economic Security Act (“CARES Act”). (Doc. No. 10 at 2.) The
2 court is not aware of any authority that stands for the proposition that economic impact payments
3 from the CARES Act cannot be considered in determining whether *in forma pauperis* applicants
4 are able to pay court filing fees, and plaintiff does not provide any such support.

5 Plaintiff also states that if he were to be required to pay the filing fee, he does not have the
6 sufficient resources to pay for further litigation costs such as the service of the complaint. (*Id.*
7 at 3.) However, Federal Rule of Civil Procedure 4 provides that “[a]t the plaintiff’s request, the
8 court may order that service be made by a United States marshal or deputy marshal or by a person
9 specially appointed by the court. The court must so order if the plaintiff is authorized to proceed
10 in forma pauperis under 28 U.S.C. § 1915 . . .” Fed. R. Civ. P. 4(c)(3).

11 Thus, the objections do not provide a reason to depart from the pending findings and
12 recommendations. In his objections, plaintiff further states that if he is denied the ability to
13 proceed *in forma pauperis*, he would rather not proceed with this action. (*Id.*)
14 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de novo*
15 review of this case. Having carefully reviewed the entire file, including plaintiff’s objections, the
16 court finds the findings and recommendations to be supported by the record and proper analysis.

17 Accordingly,

- 18 1.) The findings and recommendations issued on July 9, 2021 (Doc. No. 9) are adopted in
19 full;
- 20 2.) Plaintiff’s motion to proceed *in forma pauperis* (Doc. No. 2) is denied;
- 21 3.) At plaintiff’s request, this action is voluntarily dismissed; and
- 22 4.) The Clerk of the Court is directed to close this action.

23 IT IS SO ORDERED.

24 Dated: August 6, 2021

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27 UNITED STATES DISTRICT JUDGE
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