

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 GUILLERMO TRUJILLO CRUZ,

12 Plaintiff,

13 vs.

14 SAVOIE, et al.,

15 Defendants.
16
17

No. 1:21-cv-01552-NONE-GSA-PC

ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DENYING
APPLICATION TO PROCEED *IN FORMA
PAUPERIS* AND REQUIRING PLAINTIFF TO
PAY \$402.00 FILING FEE IN FULL WITHIN
THIRTY DAYS

(Doc. Nos. 2 and 5)

18 Plaintiff Guillermo Trujillo Cruz is a state prisoner proceeding *pro se* with this civil
19 rights action pursuant to 42 U.S.C. § 1983. The matter was referred to a United States
20 Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

21 On October 25, 2021, findings and recommendations were entered, recommending that
22 plaintiff's motion to proceed *in forma pauperis* be denied under 28 U.S.C. § 1915(g) and
23 plaintiff be required to submit the \$402.00 filing fee in full within thirty days. (Doc. No. 5.)
24 On November 10, 2021, plaintiff filed objections to the findings and recommendations. (Doc.
25 No. 11.)

26 In accordance with the provisions of 28 U.S.C. § 636 (b)(1)(B) and Local Rule 304, this
27 court has conducted a *de novo* review of this case. Having carefully reviewed the entire file,
28 including plaintiff's objections, the court finds the findings and recommendations to be


1 supported by the record and proper analysis. Plaintiff's objections do not undermine the well-
2 reasoned conclusion of the findings and recommendations that plaintiff has failed to satisfy the
3 imminent danger exception to the three strikes rule set forth at 28 U.S.C. § 1915(g).

4 Accordingly,

- 5 1. The findings and recommendations issued by the magistrate judge on October
6 25, 2021 (Doc. No. 5), are adopted in full;
- 7 2. Plaintiff's application to proceed *in forma pauperis*, filed on October 21, 2021
8 (Doc. No. 2.), is denied;
- 9 3. Within thirty days of the date of service of this order, plaintiff is required to pay
10 the \$402.00 filing fee in full for this action; and
- 11 4. Plaintiff's failure to comply with this order shall result in the dismissal of this
12 action.

13
14 IT IS SO ORDERED.

15 Dated: November 20, 2021

16 
17 _____
18 UNITED STATES DISTRICT JUDGE
19
20
21
22
23
24
25
26
27
28