

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF CALIFORNIA

MARVIN HARRIS,	)	No. 1:21-cv-01664-NONE-SAB (PC)
	)	
Plaintiff,	)	
	)	<u>ORDER ADOPTING FINDINGS AND</u>
v.	)	<u>RECOMMENDATIONS AND DIRECTING</u>
	)	<u>PLAINTIFF TO PAY THE FILING FEE WITHIN</u>
THERESA C., et al.,	)	<u>TWENTY-ONE DAYS</u>
	)	
Defendants.	)	(Doc. No. 3)
	)	
	)	

Plaintiff Marvin Harris is proceeding *pro se* in this civil rights action pursuant to 42 U.S.C. § 1983. This matter was referred to a United States Magistrate Judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

On November 30, 2021, the assigned magistrate judge issued findings and recommendations recommending that plaintiff be required to pay the filing fee to proceed with this action. (Doc. No. 3.) The magistrate judge found that plaintiff has previously suffered three prior dismissals counting as strike under 28 U.S.C. § 1915(g) and that he has failed to show that he is in imminent danger of serious physical injury and therefore does not qualify under the exception to that provision.

Plaintiff filed objections on December 15, 2021. (Doc. No. 4.) However, plaintiff's objections do not meaningfully address the findings and recommendations.

/////  
/////

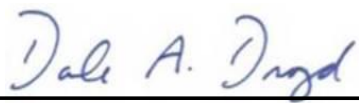
1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), this court has conducted a *de*  
2 *novo* review of this case. Having carefully reviewed the entire file, the court finds the findings and  
3 recommendations to be supported by the record and proper analysis.

4 Accordingly,

- 5 1. The findings and recommendations issued on November 30, 2021, (Doc. No. 3), are  
6 adopted; and
- 7 2. Within **twenty-one (21) days** following the date of service of this order, plaintiff shall  
8 pay the \$402.00 filing fee in full to proceed with this action. If plaintiff fails to pay the  
9 filing fee within the specified time, this action will be dismissed without further notice.

10  
11 IT IS SO ORDERED.

12 Dated: December 27, 2021

13   
14 \_\_\_\_\_  
15 UNITED STATES DISTRICT JUDGE  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28