## UNITED STATES DISTRICT COURT EASTERN DISTRICT OF CALIFORNIA

BRADFORD C. STROHMAIER,

Plaintiff,

V.

FINDINGS AND RECOMMENDATIONS
RECOMMENDING THAT PLAINTIFF'S
APPLICATION TO PROCEED IN FORMA
PAUPERIS BE DENIED

(ECF No. 2)

OBJECTIONS, IF ANY, DUE WITHIN
TWENTY-ONE DAYS

Plaintiff Bradford C. Strohmaier ("Plaintiff") is proceeding *pro se* in this action. On December 9, 2021, Plaintiff filed an application to proceed *in forma pauperis*. (ECF No. 2.) According to Plaintiff's application, Plaintiff has \$140,000.00 in cash in his checking or savings accounts. (*Id.*) Accordingly, the Court finds that Plaintiff can afford to pay the filing fee for this action. Because Plaintiff can afford to pay the filing fee for this action, the Court will recommend that Plaintiff's application to proceed *in forma pauperis* be denied and that Plaintiff be required to pay the filing fee of \$402.00 for this action in full.

Based on the foregoing, IT IS HEREBY RECOMMENDED that:

Plaintiff's application to proceed in forma pauperis (ECF No. 2) be DENIED;

2. Plaintiff be directed to pay the \$402.00 filing fee in full if he wants to proceed with this action.

These findings and recommendations will be submitted to the United States district judge assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within twenty-one (21) days after being served with these findings and recommendations, Plaintiff may file written objections with the Court. The document should be captioned "Objections to Magistrate Judge's Findings and Recommendations." Plaintiff is advised that failure to file objections within the specified time may result in the waiver of rights on appeal. *Wilkerson v. Wheeler*, 772 F.3d 834, 838-39 (9th Cir. 2014) (citing *Baxter v. Sullivan*, 923 F.2d 1391, 1394 (9th Cir. 1991)).

IT IS SO ORDERED.

Dated: December 10, 2021 /s/ UNITED STATES MAGISTRATE JUDGE