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**UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA**

BILLY DRIVER, JR.,

Plaintiff,

v.

**INTERNAL REVENUE SERVICE AT
FRESNO, CALIFORNIA, ET. AL.,**

Defendants.

Case No. 1:22-cv-00118-AWI-HBK (PC)

**ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS**

(Doc. No. 4)

Plaintiff Billy Driver, Jr. initiated this action proceeding pro se by filing a civil rights action under 42 U.S.C. § 1983. Doc. No. 1. The matter was referred to a United States magistrate judge pursuant to 28 U.S.C. § 636(b)(1)(B) and Eastern District of California Local Rule 302.

On June 10, 2022, the assigned magistrate judge issued a findings and recommendations recommending that Plaintiff's motion to proceed in forma pauperis be denied because Plaintiff qualifies as a three-striker under § 1915(g). Doc. No. 4 at 1-7. The findings and recommendations further determined the complaint contained no facts to satisfy the imminent physical injury exception. Id. at 6-7. The findings and recommendations served on Plaintiff contained notice that any objections were due within fourteen days. Id. at 1, 7. Plaintiff has not filed any objection and the time to do so has passed. See docket.

1 In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a
2 de novo review of this case. Having carefully reviewed the entire file, the Court concludes the
3 findings and recommendation are supported by the record and by proper analysis.
4

5 **ORDER**

6 Accordingly, IT IS HEREBY ORDERED that:

- 7 1. The findings and recommendations issued on June 10, 2022, are ADOPTED in full;
8 2. Plaintiff shall have twenty-one (21) days from the date on third order to pay the
9 requisite filing fee;
10 3. Plaintiff's failure to timely pay the full filing fee will result in the Clerk summarily
11 dismissing this action, terminating any pending motions, and entering judgment accordingly.
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13 IT IS SO ORDERED.

14 Dated: September 8, 2022

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17 SENIOR DISTRICT JUDGE
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