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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	RICARDO MARTINEZ,	Case No. 1:22-cv-00126-ADA-HBK
12	Plaintiff,	ORDER ADOPTING FINDINGS AND RECOMMENDATIONS
13	V.	(Doc. No. 10)
14	C. PFEIFFER; F. HERRERA,	(Doc. No. 10)
15	Defendants.	
16		
17	Plaintiff Ricardo Martinez ("Plaintiff") initiated this action as a prisoner, proceeding pro	
18	se, by filing a civil rights complaint under 42 U.S.C. § 1983. (Doc. No. 1.) The matter was	
19	referred to the assigned United States magistrate judge, according to 28 U.S.C. § 636(b)(1)(B).	
20	On February 17, 2022, the magistrate judge issued a findings and recommendations,	
21	determining that Plaintiff qualified as a three-striker under 28 U.S.C. § 1915(g). (Doc. No. 10. at	
22	5-6.) The determination effectively precludes Plaintiff from seeking in forma pauperis status,	
23	requiring him to pay the full filing fee for this action. (Id. at 3.) The findings and	
24	recommendations further concluded that Plaintiff's complaint lacked sufficient allegations to	
25	satisfy the three strikes rule's imminent danger exception. (Id. at 6-7.) The findings and	
26	recommendations were served on the parties and contained notice that any objections were to be	
27	filed within fourteen (14) days. (Id. at 7.)	
28	On March 4, 2022, Plaintiff filed his objections. (Doc. No. 11.) Plaintiff's arguments that	

the three-strikes rule is inapplicable, or in the alternative, that the "imminent danger" exception applies in this case, are unpersuasive. (<i>Id.</i> at 2.) Plaintiff asserted that the three-strikes rule may be suspended if a prisoner is seeking <i>in forma pauperis</i> status, but he failed to cite to any supporting authority. (<i>Id.</i>) Overall, the court finds no basis to overturn the findings and recommendations. In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a	
be suspended if a prisoner is seeking <i>in forma pauperis</i> status, but he failed to cite to any supporting authority. (<i>Id.</i>) Overall, the court finds no basis to overturn the findings and recommendations.	
supporting authority. (<i>Id.</i>) Overall, the court finds no basis to overturn the findings and recommendations.	
recommendations.	
In accordance with the provisions of 28 U.S.C. § 636(b)(1)(C), the Court has conducted a	
de novo review of this case. Having carefully reviewed the entire file, the Court finds the	
findings and recommendations to be supported by the record and by proper analysis.	
ACCORDINGLY, it is ORDERED:	
1. The findings and recommendations issued on February 17, 2022 (Doc. No. 10) are	
adopted in full;	
2. Plaintiff's motion to proceed in forma pauperis (Doc. No. 3) is denied; and	
3. Within thirty (30) days following the date of service of this order, Plaintiff shall pay	
the filing fee in full to proceed with this action. If Plaintiff fails to pay the filing fee	
within the specified time, this action will be dismissed without prejudice.	
IT IS SO ORDERED.	
Dated: <u>September 7, 2022</u> UNITED STATES DISTRICT JUDGE	