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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MARVIN HARRIS,
Plaintiff,
v.
DR. OKUOWGEE,
Defendant.

No. 1:22-cv-00714-ADA-BAK (EPG) (PC)
ORDER ADOPTING FINDINGS AND
RECOMMENDATIONS, DENYING
PLAINTIFF’S MOTION TO PROCEED *IN
FORMA PAUPERIS*, AND REQUIRING
PLAINTIFF TO PAY THE \$402.00 FILING
FEE IN FULL
(ECF Nos. 2, 9)
THIRTY (30) DAY DEADLINE

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

On June 23, 2022, the assigned Magistrate Judge issued findings and recommendations suggesting that Plaintiff’s application to proceed *in forma pauperis* be denied on the grounds that he is subject to the three strikes bar under 28 U.S.C. § 1915(g). (ECF No. 9.) The findings and recommendations contained notice that any objections would be due within fourteen days of service. (*Id.* at 5.) Plaintiff did not file any objections, and the time to do so has passed.

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


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Accordingly,

1. The findings and recommendations issued on June 23, 2022, (ECF No. 9), are adopted;
2. In accordance with 28 U.S.C. § 1915(g), Plaintiff's application to proceed *in forma pauperis*, (ECF No. 2), is denied;
3. Within thirty (30) days following service of this order, Plaintiff shall pay the \$402.00 filing fee in full to proceed with this action;
4. Failure to pay the required filing fee in full within the specified time will result in the dismissal of this case; and
5. The matter is referred back to the Magistrate Judge for further proceedings.

IT IS SO ORDERED.

Dated: September 29, 2022



UNITED STATES DISTRICT JUDGE