

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

CHRIS EPPERSON.

Plaintiff,

Y.

YOHANNA RENEE KERR.

Defendant.

Case No. 1:22-cv-01195-JLT-SAB

ORDER ADOPTING FINDINGS AND
RECOMMENDATION THAT PLAINTIFF'S
MOTION FOR LEAVE TO PROCEED *IN
FORMA PAUPERIS* BE DENIED

(Docs. 2, 5)

21-DAY DEADLINE

The assigned magistrate judge issued findings and recommendations that Plaintiff's application to proceed *in forma pauperis* be denied and that Plaintiff be required to pay the \$402.00 filing fee in full to proceed with this action because the initially filed application contained insufficient information, and the Plaintiff did not file a long form application as ordered. (Doc. 10.) Those findings and recommendations were served on Plaintiff, and it contained notice that any objections thereto were to be filed within 14 days after service. (*Id.* at 2.) The findings and recommendations explained also that if Plaintiff filed the long form application that demonstrated entitlement to proceed without payment of fees, the Court would vacate the findings and recommendations. Plaintiff did not file objections nor a long form application.

According to 28 U.S.C. § 636 (b)(1)(C), this Court has conducted a *de novo* review of the case. Having carefully reviewed the entire file, including Plaintiff's objections, the Court concludes that the magistrate judge's findings and recommendations are supported by the record

1 and proper analysis. Thus, the Court **ORDERS**:

2 1. The findings and recommendations issued on October 19, 2022, (Doc. 5), are **ADOPTED**
3 **IN FULL**.

4 2. In accordance with 28 U.S.C. § 1915(g), Plaintiff's application to proceed *in forma*
5 *pauperis*, (Doc. 2), is **DENIED**.¹

6 3. Within **21 days** following the date of service of this order, Plaintiff shall pay the \$402.00
7 filing fee in full to proceed with this action. If Plaintiff fails to pay the filing fee within
8 the specified time, this action will be dismissed without further notice.

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10 IT IS SO ORDERED.

11 Dated: November 17, 2022


12 UNITED STATES DISTRICT JUDGE

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26 ¹ The Magistrate Judge's order requiring a long form application denied the initial application
27 without prejudice, and to the extent this Court is conducting a *de novo* review, the Court finds the
28 initial application should be denied based on insufficient information and the failure to file a long
form application as ordered.