

1
2
3
4
5
6
7
8 UNITED STATES DISTRICT COURT
9 EASTERN DISTRICT OF CALIFORNIA
10

11 MICHAEL MANJEET SINGH,

12 Plaintiff,

13 vs.

14 PHEIFFER, ET AL.,

15 Defendants.
16
17
18
19
20

1:22-cv-01446-GSA-PC

**ORDER FOR CLERK TO RANDOMLY
ASSIGN UNITED STATES DISTRICT
JUDGE TO THIS CASE**

AND

**FINDINGS AND RECOMMENDATIONS,
RECOMMENDING THAT PLAINTIFF'S
MOTION TO PROCEED IN FORMA
PAUPERIS BE DENIED
(ECF No. 4.)**

OBJECTIONS, IF ANY, DUE IN 14 DAYS

21 **I. FINDINGS**

22 Michael Manjeet Singh ("Plaintiff") is a state prisoner proceeding *pro se* with this civil
23 rights action pursuant to 42 U.S.C. § 1983. On November 9, 2022, Plaintiff filed the Complaint
24 commencing this action. (ECF No. 1.) On November 14, 2022, Plaintiff filed a motion to
25 proceed *in forma pauperis* along with a certified copy of his prison trust account, pursuant to 28
26 U.S.C. § 1915. (ECF No. 4.)

27 Plaintiff's trust account statement shows that on November 4, 2022, he had a balance of
28 \$15,947.50. (Id.) Under these facts the court finds that Plaintiff can afford the \$402.00 filing

1 fee for this action. Therefore, Plaintiff’s motion to proceed *in forma pauperis* should be denied,
2 and Plaintiff should be required to pay the statutory filing fee of \$400.00 for this action in full.

3 **II. ORDER, RECOMMENDATIONS, AND CONCLUSION**

4 **A. Order**

5 The Clerk is hereby directed to randomly assign a United States District Judge to this
6 action; and

7 **B. Recommendations and Conclusion**

8 Based on the foregoing, **IT IS HEREBY RECOMMENDED** that:

- 9 1. Plaintiff’s motion to proceed *in forma pauperis*, filed on November 14, 2022, be
10 DENIED; and
11 2. Plaintiff be required to pay the \$402.00 filing fee for this action in full.

12 These findings and recommendations are submitted to the United States District Judge
13 assigned to the case, pursuant to the provisions of Title 28 U.S.C. § 636(b)(1). Within **fourteen**
14 **(14) days** after the date of service of these findings and recommendations, Plaintiff may file
15 written objections with the court. Such a document should be captioned “Objections to
16 Magistrate Judge’s Findings and Recommendations.” Plaintiff is advised that failure to file
17 objections within the specified time may waive the right to appeal the District Court’s order.
18 Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).

19
20 IT IS SO ORDERED.

21 Dated: November 17, 2022

22 /s/ Gary S. Austin
23 UNITED STATES MAGISTRATE JUDGE
24
25
26
27
28