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

MIKA ALFARO,

Plaintiff,

No. CIV S-10-0892 JAM EFB PS

vs.

MARK SCOTT,

Defendants.

ORDER

_____ /

On May 17, 2010, the magistrate judge filed findings and recommendations herein which were served on the parties and which contained notice that any objections to the findings and recommendations were to be filed within fourteen days. No objections were filed.

Accordingly, the court presumes any findings of fact are correct. See Orland v. United States, 602 F.2d 207, 208 (9th Cir. 1999). The magistrate judge’s conclusions of law are reviewed de novo. See Britt v. Simi Valley Unified Sch. Dist., 708 F.2d 452, 454 (9th Cir. 1983).

The court has reviewed the applicable legal standards and, good cause appearing, concludes that it is appropriate to adopt the proposed Findings and Recommendations in full.

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Accordingly, IT IS ORDERED that:

1. The proposed Findings and Recommendations filed May 17, 2010, are ADOPTED;
2. Plaintiff's application to proceed in forma pauperis is denied;
3. Plaintiff is given thirty days in which to pay the filing fee of \$350.00; and
4. Failure to pay the filing fee will result in a recommendation of dismissal by the magistrate judge.

DATED: August 18, 2010

/s/ John A. Mendez
U. S. DISTRICT COURT JUDGE