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UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

STEVIN WAYNE BONILLA,  
Plaintiff,  
v.  
CANDICE HEIDELBERGER,  
Defendant.

No. 2:18-cv-1233 JAM CKD P

ORDER

Plaintiff is a California prisoner proceeding pro se with a civil action. On May 21, 2018, the court ordered plaintiff to either submit a request to proceed in forma pauperis or pay the filing fee. However, the court recently learned that plaintiff is not permitted to proceed in forma pauperis because he has “struck out” pursuant to Title 28 U.S.C. § 1915(g), Bonilla v. Lively, 4:11-cv-3180 CW (N.D. Cal. Oct. 25, 2011), and he does not allege he is under “imminent danger of serious physical injury.”

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Accordingly, IT IS HEREBY ORDERED that:

1. The court's June 28, 2018 findings and recommendations are vacated;
2. Plaintiff's application to proceed in forma pauperis (ECF No. 6) is denied; and
3. Plaintiff is granted 14 days within which to pay the \$400 filing fee for this action.

Failure to pay the filing fee within 14 days will result in dismissal.

Dated: August 27, 2018

  
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CAROLYN K. DELANEY  
UNITED STATES MAGISTRATE JUDGE

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