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Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed February 8, 2019, are adopted in full;
2. Plaintiff's application to proceed in forma pauperis (ECF No. 23) is denied; and
3. Plaintiff is ordered to pay the \$400 filing fee within fourteen days from the date of this order and is warned that failure to do so will result in the dismissal of this action.

DATED: May 17, 2019

/s/ John A. Mendez

UNITED STATES DISTRICT COURT JUDGE