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9   UNITED STATES DISTRICT COURT

10   FOR THE EASTERN DISTRICT OF CALIFORNIA

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12   ELMER EUGENE WALKER,   No. 2:22-cv-01327 KJM DB P

13   Plaintiff,

14   v.   ORDER

15   JENNA NELSON, et al.,

16   Defendants.

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18   Plaintiff, a state prisoner proceeding pro se, has filed this civil rights action seeking relief

19   under 42 U.S.C. § 1983. The matter was referred to a United States Magistrate Judge as provided

20   by 28 U.S.C. § 636(b)(1)(B) and Local Rule 302.

21   On January 12, 2023, the magistrate judge filed findings and recommendations, which

22   were served on plaintiff and which contained notice to plaintiff that any objections to the findings

23   and recommendations were to be filed within twenty-one days. (ECF No. 11.) Plaintiff has not

24   filed objections to the findings and recommendations.

25   The court presumes that any findings of fact are correct. *See Orand v. United States*,

26   602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge's conclusions of law are reviewed

27   de novo. *See Robbins v. Carey,* 481 F.3d 1143, 1147 (9th Cir. 2007) ("[D]eterminations of law

28   by the magistrate judge are reviewed de novo by both the district court and [the appellate] court

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1 . . . ."). Having reviewed the file, the court finds the findings and recommendations to be

2 supported by the record and by the proper analysis.

3   Accordingly, IT IS HEREBY ORDERED:

4   1. The findings and recommendations filed January 12, 2023 (ECF No. 11), are adopted

5 in full;

6   2. Plaintiff's motion to proceed in forma pauper (ECF No. 4) is denied;

7   3. Within thirty days of this order, plaintiff shall pay the $402 filing fee for this action.

8 Failure to comply with court orders will result in an order that this case be dismissed; and

9   4. This matter is referred back to the assigned magistrate judge for all further pretrial

10 proceedings.

11 DATED: March 29, 2023.

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             CHIEF UNITED STATES DISTRICT JUDGE

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