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8	UNITED STATES DISTRICT COURT	
9	FOR THE EASTERN DISTRICT OF CALIFORNIA	
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11	CYMEYON V. HILL,	No. 2:22-cv-01468-TLN-EFB (PC)
12	Plaintiff,	
13	V.	FINDINGS AND RECOMMENDATIONS
14	EHELERS, et al.,	
15	Defendants.	
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17	Plaintiff is a civil detainee proceeding without counsel in an action brought under 42	
18	U.S.C. § 1983 and filed on July 20, 2022. ECF No. 1-1 at 2. He has filed an in forma pauperis	
19	application in which he states that he has no cash. ECF No. 2 at 2. However, his inmate trust	
20	account statement reflects that as of July 1, 2022, he had a balance of \$5328.29. ECF No. 4 at 2.	
21	The court may authorize the commencement of an action "without prepayment of fees or	
22	security therefor" by an individual who submi	ts an application evidencing an inability to pay such
23	fees or give security therefor. 28 U.S.C. § 1915(a). Plaintiff's claim of inability to pay the filing	
24	fee in his application before the court is contradicted by his inmate trust account statement. It	
25	will therefore be recommended that the application to proceed in forma pauperis be denied and	
26	that plaintiff be required to pay the \$402.00 before this action can proceed.	
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1	Accordingly, IT IS RECOMMENDED that:	
2	1. Plaintiff's motion for leave to proceed in forma pauperis, ECF No. 2, be DENIED; and	
3	2. Plaintiff be ordered to pay the \$402 filing fee within fourteen days from the date of any	
4	order adopting these findings and recommendations and be warned that failure to do so will result	
5	in the dismissal of this action.	
6	These findings and recommendations are submitted to the United States District Judge	
7	assigned to the case, pursuant to the provisions of 28 U.S.C. § 636(b)(l). Within fourteen days	
8	after being served with these findings and recommendations, any party may file written	
9	objections with the court and serve a copy on all parties. Such a document should be captioned	
10	"Objections to Magistrate Judge's Findings and Recommendations." Failure to file objections	
11	within the specified time may waive the right to appeal the District Court's order. Turner v.	
12	Duncan, 158 F.3d 449, 455 (9th Cir. 1998); Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991).	
13	Dated: September 21, 2022.	
14	EDMUND F. BRENNAN	
15	UNITED STATES MAGISTRATE JUDGE	
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