

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF CALIFORNIA

KEVIN MICHAEL LONG,  
Plaintiff,  
v.  
KAISER PERMANENTE, et al.,  
Defendants.

No. 2:23-cv-02109 KJM AC P

ORDER

Plaintiff, a pretrial detainee proceeding pro se, has filed this civil action and seeks leave to proceed in forma pauperis under 28 U.S.C. § 1951(a).

On September 28, 2023, the magistrate judge filed findings and recommendations, which were served on plaintiff, and which contained notice to plaintiff that any objections to the findings and recommendations were to be filed within fourteen days. ECF No. 5. Plaintiff has not filed objections to the findings and recommendations.


The court presumes that any findings of fact are correct. *See Orand v. United States*, 602 F.2d 207, 208 (9th Cir. 1979). The magistrate judge’s conclusions of law are reviewed de novo. *See Robbins v. Carey*, 481 F.3d 1143, 1147 (9th Cir. 2007) (“[D]eterminations of law by the magistrate judge are reviewed de novo by both the district court and [the appellate] court . . .”). Having reviewed the file, the court finds the findings and recommendations to be supported by the record and by the proper analysis.

1  
2  
3  
4  
5  
6  
7  
8  
9  
10  
11  
12  
13  
14  
15  
16  
17  
18  
19  
20  
21  
22  
23  
24  
25  
26  
27  
28

Accordingly, IT IS HEREBY ORDERED that:

1. The findings and recommendations filed September 28, 2023 (ECF No. 5), are adopted in full;
2. Plaintiff's application to proceed in forma pauperis (ECF No. 2) is DENIED; and
3. Plaintiff is ordered to pay the entire \$402.00 in fees within thirty days or face dismissal of the case.

DATED: December 28, 2023.

  
\_\_\_\_\_  
CHIEF UNITED STATES DISTRICT JUDGE