

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF KANSAS**

ELVIS J. GRUBBS,

Plaintiff,

vs.

Case No. 13-4017-EFM

THE SALVATION ARMY,

Defendant.

ORDER

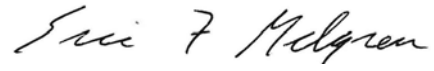
This matter is before the Court on Magistrate Judge David J. Waxse's Report and Recommendation (Doc. 4) that the Plaintiff's motion to proceed in forma pauperis (Doc. 3) be denied.

Plaintiff was advised to serve and file written objections to the proposed recommendation within fourteen (14) days of being served a copy of the recommendation. Certified mail receipt, signed by Plaintiff, was returned on March 29, 2013 showing receipt of Magistrate Judge's recommendation. No objections having been filed, this Court accepts the recommended decision of the Magistrate Judge and adopts it as its own.

IT IS THEREFORE ORDERED, that Judge Waxse's Report and Recommendation is adopted in full as this Court's Order, and that the Plaintiff's Motion to Proceed in Forma Pauperis (Doc. 3) is DENIED. Plaintiff is cautioned that failure to pay the filing fee within 30 days will result in the dismissal of this action without prejudice.

IT IS SO ORDERED.

Dated this 22nd day of April, 2013, in Wichita, Kansas.

A handwritten signature in cursive script that reads "Eric F. Melgren".

ERIC F. MELGREN
UNITED STATES DISTRICT JUDGE