

**FILED**  
**MAY 03 2012**  
**PATRICK E. DUFFY CLERK**  
 BY \_\_\_\_\_  
Deputy Clerk  
**U.S. DISTRICT COURT**  
**BILLINGS DIVISION**

**IN THE UNITED STATES DISTRICT COURT**  
**FOR THE DISTRICT OF MONTANA**  
**BILLINGS DIVISION**

<b>ROBIN O. LYDA,</b>	)	<b>CV-12-49-BLG-RFC</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>vs.</b>	)	
	)	<b>ORDER ADOPTING FINDINGS</b>
	)	<b>AND RECOMMENDATION OF</b>
<b>ERIC K. SHINSEKI, SECRETARY OF</b>	)	<b>U.S. MAGISTRATE JUDGE</b>
<b>THE DEPARTMENT OF VETERANS</b>	)	
<b>AFFAIRS,</b>	)	
	)	
<b>Defendant.</b>	)	
_____	)	

United States Magistrate Judge Carolyn S. Ostby has recommended this Court deny Plaintiff's Motion to Proceed In Forma Pauperis. *Doc. 4*. Unlike other cases, Plaintiff is not allowed to file objections to a Magistrate Judge's recommendation that a motion to proceed in forma pauperis be denied. *Minetti v. Port of Seattle*, 152 F.3d 1113, 1114 (9th Cir. 1998). No objections have been filed.

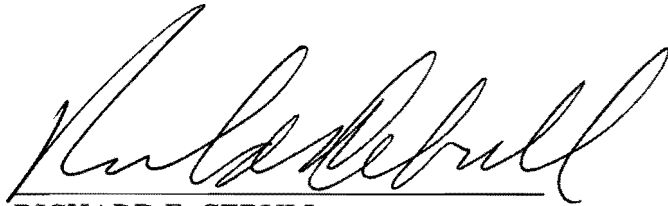
In any event, after reviewing the record and the applicable law, it is obvious that Judge Ostby correctly concluded that Plaintiff is not entitled to proceed *in forma pauperis*. Accordingly, Magistrate Judge Ostby's Findings and Recommendations are adopted in their entirety.

**IT IS HEREBY ORDERED** that

- (1) Plaintiff's Motion to Proceed in Forma Pauperis (doc. 1) is **DENIED**;
- (2) Lyda has thirty days from the entry of this Order to pay the full filing fee of

\$350.00. If she fails to do so, the Clerk of Court will be ordered to close the file.

Dated this 3<sup>rd</sup> day of May, 2012.



RICHARD F. CEBULL  
UNITED STATES DISTRICT JUDGE