

IN THE UNITED STATES DISTRICT COURT FOR THE WESTERN DISTRICT OF OKLAHOMA

ANTJUAN L. MARTIN,)
Plaintiff,)
v.) Case No. CIV-13-648-D
CITY OF OKLAHOMA CITY, et al.,)
Defendants.)

ORDER

This matter is before the Court for review of the Report and Recommendation issued by United States Magistrate Judge Shon T. Erwin on July 22, 2013 [Doc. No. 11]. Judge Erwin recommends that Plaintiff's amended motion to proceed in forma pauperis under 28 U.S.C. § 1915 be denied because he has sufficient funds to pay the \$400.00 filing fee, and that this action be dismissed without prejudice unless Plaintiff pays the full filing fee within 20 days.

Plaintiff, who is represented by counsel, has not filed a timely written objection. Therefore, further review of the Report is waived. See Moore v. United States, 950 F.2d 656, 659 (10th Cir. 1991); see also United States v. 2121 East 30th Street, 73 F.3d 1057, 1060 (10th Cir. 1996).

IT IS THEREFORE ORDERED that the Report and Recommendation [Doc. No. 11] is ADOPTED in its entirety. Plaintiff's amended motion to proceed in forma pauperis [Doc. No. 7] is DENIED. Plaintiff shall pay the filing fee for this action in the amount of \$400.00 to the Clerk of Court within 20 days from the date of this Order. Failure to make full payment by that date will result in the dismissal of this action without prejudice to refiling.

IT IS SO ORDERED this 8th day of August, 2013.

Handwritten signature of Timothy D. DeGiusti

TIMOTHY D. DEGIUSTI
UNITED STATES DISTRICT JUDGE