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6 UNITED STATES DISTRICT COURT  
7 WESTERN DISTRICT OF WASHINGTON  
8 AT SEATTLE

8 RICHARD ROY SCOTT,

9 Plaintiff,

10 v.

11 PACIFIC COUNTY,

12 Defendant.

Case No. MC05-5029-MJP

**ORDER DENYING MOTION TO  
PROCEED IN FORMA PAUPERIS**

13 The Court, having reviewed the Report and Recommendation of the Honorable Brian A.  
14 Tsuchida, United States Magistrate Judge (Dkt. No. 137), Plaintiff's Reply to Response re: New  
15 Complaint (Dkt. No. 138), and the remaining record, finds and **ORDERS** as follows:

- 16 1. The Report and Recommendation is **ADOPTED**;
- 17 2. Plaintiff's motion to proceed in forma pauperis (Dkt. 132) is **DENIED**;
- 18 3. Plaintiff shall have **30 days** from the date of this Order to pay the \$350 filing fee.

19 If plaintiff does not pay the fee, this action will not be permitted to proceed. If  
20 plaintiff pays the filing fee, plaintiff's proposed complaint will be reviewed by the  
21 Chief Judge of the District pursuant to the terms of the April 5, 2005 Order  
22 Adopting Report and Recommendation. See Scott v. Selig, C04-5147-RJB, Dkt.  
23 170 at 4 (April 5, 2005).

