

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF  
CALIFORNIA**

**York v. Doerer**

No. 1:25-cv-0059 JLT EPG (E.D. Cal. Apr. 7, 2025) · No. 1:25-cv-0059 JLT EPG · Decided April 7, 2025

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**OPINION**

(PC) York v. Doerer

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 EASTERN DISTRICT OF CALIFORNIA

10 11 BRODERICK WADE YORK, ) Case No.: 1:25-cv-0059 JLT EPG ) 12 Plaintiff, ) ORDER  
ADOPTING FINDINGS AND

) RECOMMENDATIONS, DENYING PLAINTIFF’S

13 v. ) MOTION TO PROCEED IN FORMA PAUPERIS,

) AND DIRECTING PLAINTIFF TO PAY THE

14 J. DOERER, et al., ) FILING FEE WITHIN 30 DAYS

) 15 Defendants. ) (Docs. 2, 6) ) 16 17 Broderick York filed this civil rights action pursuant to 42  
U.S.C. § 1983, seeking to hold the 18 defendants liable for violations of his civil rights while  
housed at United States Penitentiary Atwater. 19 (See generally Doc. 1.) Plaintiff seeks to proceed  
in forma pauperis in this matter. (Doc. 2.) The 20 magistrate judge found Plaintiff has sufficient  
funds to pay the filing fee in full, based upon the report 21 that he had an average monthly deposit  
of \$843.36. (Doc. 6 at 2-3.) The Court offered Plaintiff an 22 opportunity to provide additional  
information about the sources of income and financial obligations 23 (Doc. 5), but Plaintiff did not  
respond. Therefore, the magistrate judge recommended the Court deny 24 the motion to proceed  
in forma pauperis and order Plaintiff to pay the filing fee. (Doc. 6 at 3.) 25 The Court served the  
Findings and Recommendations on Plaintiff and notified him that any 26 objections were due  
within 30 days. (Doc. 6 at 3.) The Court advised Plaintiff the “failure to file 27 objections within  
the specified time may result in the waiver of rights on appeal.” (Id., citing 28 *Wilkerson v.*  
*Wheeler*, 772 F.3d 834, 838–39 (9th Cir. 2014).) Plaintiff did not file any objections and 1 || the  
time to do so has passed. 2 According to 28 U.S.C. § 636(b)(1), this Court performed a de novo  
review of this case. 3 || Having carefully reviewed the matter, the Court concludes the Findings  
and Recommendations are 4 || supported by the record and proper analysis. Thus, the Court  
ORDERS: 5 1. The Findings and Recommendations filed on February 27, 2025 (Doc. 6) are 6  
ADOPTED in full. 7 2. Plaintiffs application to proceed in forma pauperis (Doc. 2) is DENIED. 8  
3. Within 30 days from the date of service of this order, Plaintiff SHALL pay in full the 9 \$405.00

filing fee if he wishes to proceed with his action. 10 Plaintiff is advised that failure to pay the  
required filing fee as ordered will result in the 11 dismissal of this action without prejudice. 12 13  
||IT IS SO ORDERED. 14 Dated: \_ April 7, 2025 Cerin | Tower  
15 TED STATES DISTRICT JUDGE  
16 17 18 19 20 21 22 23 24 25 26 27 28