

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

VICTORIA I. BENNETT,

Plaintiff,

v.

Case No. 16-2568-JTM

TOYOTA FINANCIAL SERVICES,

et al.,

Defendants.

ORDER ADOPTING REPORT AND RECOMMENDATION

This matter is before the court upon the Report and Recommendation filed by Magistrate Judge O'Hara on August 19, 2016 (Dkt. 4). Judge O'Hara recommended the undersigned "deny plaintiff's motion to proceed *in forma pauperis* and enter an order allowing plaintiff 60 days to pay the requisite filing fee in equal installments of \$200. If plaintiff does not pay the fee, [Judge O'Hara] recommends that this case be dismissed without prejudice." *Id.* at 2.

Despite Judge O'Hara's admonition regarding the consequences of failing to do so, plaintiff has filed no objections to the Report and Recommendation to date, and the time for doing so has expired. For good cause shown and pursuant to D. Kan. Rule 72.1.4, the court adopts the Report and Recommendation without the equal installment requirement. Accordingly, the court denies plaintiff's motion to proceed *in forma pauperis* and grants plaintiff until November 14, 2016 to pay the full filing fee of \$400. The court will dismiss this action without further discussion if plaintiff fails to pay the full filing fee by November 14, 2016.

IT IS THEREFORE ORDERED this 15th day of September, 2016, that Judge O'Hara's Report and Recommendation (Dkt. 4) is accepted, adopted, and affirmed as amended. Plaintiff's motion for leave to proceed *in forma pauperis* (Dkt. 3) is **DENIED**.

IT IS FURTHER ORDERED that the Clerk is directed to send a copy of this Order to plaintiff by regular and certified mail.

s/ J. Thomas Marten
J. THOMAS MARTEN, Judge