

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF ALABAMA
SOUTHERN DIVISION

ANGELA DENISE NAILS,)
)
Plaintiff,)
)
v.) CASE NO. 1:12-CV-325-WKW
)
)
TRAVELERS INSURANCE,)
ANGELA BAKER, and)
MARILYN KNOWLES,)
)
Defendants.)

ORDER

On May 8, 2012, the Magistrate Judge filed a Recommendation (Doc. # 7) regarding Plaintiff's failure to pay the civil action filing fee. After the Recommendation was filed, Plaintiff filed her Motion to Allow the Plaintiff's Complaint to Be Served (Doc. # 8), which the Magistrate Judge denied. (May 11, 2012 Order (Doc. # 9).) Plaintiff then filed an objection to the Magistrate Judge's denial of her motion. (Doc # 10). Because *pro se* motions are to be liberally construed, Plaintiff's motion (Doc. # 8) and objection (Doc. # 10) are construed as containing objections to the Recommendation.¹ The court reviews *de novo* the portion of the Recommendation to which the objections apply. 28 U.S.C. § 636(b)(1).

¹ To be considered timely, any objections to the Recommendation must have been filed by May 22, 2012. Both Plaintiff's motion and objection were filed before this deadline.

Plaintiff's objections request that Defendants be served even if she is not allowed to proceed *in forma pauperis*. (*See, e.g.*, Doc. # 10.) However, Plaintiff does not address her failure to pay the required filing fee. Plaintiff has been given ample time to pay this fee and has failed to do so. Furthermore, it would be a waste of judicial resources to serve an action upon Defendants that is due to be dismissed for Plaintiff's failure to pay her filing fee.

Accordingly, it is ORDERED that:

1. Plaintiff's objections (Docs. # 8 & 10) are OVERRULED;
2. the Recommendation of the Magistrate Judge (Doc. # 7) is ADOPTED; and
3. this case is DISMISSED without prejudice due to Plaintiff's failure to pay the civil action filing fee within the time allowed by the court.

A separate final judgment will be entered.

DONE this 4th day of June, 2012.

/s/ W. Keith Watkins
CHIEF UNITED STATES DISTRICT JUDGE