

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

TIMOTHY WOODS, <i>et al.</i> ,	*	
Plaintiffs,	*	
v.	*	2:09-CV-113-WHA (WO)
OFFICER DONALDS, <i>et al.</i> ,	*	
Defendants.	*	

ORDER

Pending before the court is Plaintiff's February 13, 2009 request for leave to proceed *in forma pauperis* in which he indicates that he has not received money from any sources within the last twelve months. (*Doc. No. 2.*) The court's records, however, indicate that Plaintiff is alleged to have had a source of income within a year of filing his civil case in this court. The court may take judicial notice of its own records. *See U.S. v. Glover*, 179 F.3d 1300, 1303 n.5 (11th Cir. 1999). Thus, the court takes judicial notice of an affidavit filed in *U.S. v. Woods*, No. 2:09-mj-10-CSC, in which Plaintiff is alleged to have possessed stolen checks and to have purchased with the income derived from those checks a number of items which were delivered to his address at 624 Mildred Street, Montgomery, Alabama 36104, within a year of filing his motion to proceed *in forma pauperis*. In general, finances derived from any source, including an illegal source, are reportable as income. *See, e.g., U.S. v. Bakarat*, 130 F.3d 1448 (11th Cir. 1997); *U.S. v. Scrima*, 819 F.2d 996, 999 (11th Cir. 1987);

U.S. v. Palmer, 809 F.2d 1504, 1505-06 (11th Cir. 1987); *U.S. v. Edwards*, 777 F.2d 644, 651-52 (11th Cir. 1985). Accordingly, it is

ORDERED that on or before March 5, 2009 Plaintiff shall show cause why his motion for leave to proceed *in forma pauperis* should not be denied.

Done, this 19th day of February 2009.

/s/ Charles S. Coody
CHARLES S. COODY
UNITED STATES MAGISTRATE JUDGE