

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

HENRY JOINER #140755,)	
)	
Plaintiff,)	
v.)	CASE NO. 2:09-cv-245-TMH
)	WO
RICHARD F. ALLEN, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

After an independent review of the file, it is the ORDER, JUDGMENT and DECREE of the court that:

1. The plaintiff's objection (Doc. # 5) to the Recommendation of the Magistrate Judge filed on April 15, 2009 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #4) filed on April 8, 2009 is adopted;
3. This case is DISMISSED without prejudice for plaintiff's failure to pay the full filing fee upon the initiation of this case.

DONE this 1st day of May, 2009.

/s/ Truman M. Hobbs

TRUMAN M. HOBBS
SENIOR UNITED STATES DISTRICT JUDGE