

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

WOODBURCK NOE, #148475,                     )  
   )  
      Plaintiff,                                     )  
   )  
      v.   )  
   )  
ALABAMA DEPT. OF CORRECTIONS,            )  
   )  
      Defendant.                                 )

CIVIL ACTION NO. 2:09-CV-692-WHA  
[WO]

**ORDER**

Upon consideration of the motion for indigency treatment filed by the plaintiff on August 5, 2009 (Court Doc. No. 5), in which the plaintiff seeks leave to proceed without prepayment of costs and fees, and in accordance with the reasoning set forth in the Order and Recommendation entered on July 28, 2009 (Court Doc. No. 3), it is

ORDERED that this motion be and is hereby DENIED.

Done this 6th day of August, 2009.

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