

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

WOODBURCK NOE, #148475,)	
)	
Plaintiff,)	
)	
vs.)	CIVIL ACTION NO. 2:09cv692-WHA
)	
ALABAMA DEPARTMENT OF)	
CORRECTIONS,)	
)	
Defendant.)	

ORDER

This case is before the court on the Order and Recommendation of the Magistrate Judge (Doc. #3), entered on July 28, 2009, together with the Plaintiff’s Objection (Doc. #4), filed on August 5, 2009.

Upon an independent evaluation and *de novo* review of this matter, the court finds the objection to be without merit, and it is here overruled. The court adopts the Recommendation of the Magistrate Judge, and it is hereby ORDERED as follows:

1. The Objection to the Magistrate Judge’s denial of the Plaintiff’s Motion for Leave to Proceed *in forma pauperis* is OVERRULED.
2. This case is DISMISSED without prejudice for the Plaintiff’s failure to pay the full filing fee upon the initiation of this case.

DONE this 26th day August, 2009.

/s/ W. Harold Albritton
W. HAROLD ALBRITTON
SENIOR UNITED STATES DISTRICT JUDGE