

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

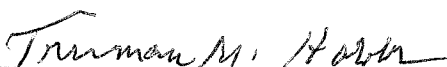
MICHAEL DEWAYNE ROBERTS,	)	
	)	
Plaintiff,	)	
v.	)	CASE NO. 3:08-cv-598-MEF
	)	WO
JAY JONES, <i>et al</i> ,	)	
	)	
Defendant.	)	

**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. #4) to the Recommendation of the Magistrate Judge filed on August 22, 2008 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #3) filed on August 13, 2008 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 8<sup>th</sup> day of September, 2008.

  
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 TRUMAN M. HOBBS  
 SENIOR UNITED STATES DISTRICT JUDGE