

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

GENE COGGINS,)	
)	
Plaintiff,)	
v.)	CASE NO. 3:09-cv-539-MEF
)	WO
TOWN OF JACKSON'S GAP,)	
)	
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. #13) to the Recommendation of the Magistrate Judge filed on July 14, 2009 is overruled;
2. The Recommendation of the Magistrate Judge (Doc. #12) filed on July 8, 2009 is adopted;
3. The plaintiff's "Motion for Default and Default Judgment"(Doc. #8) is DENIED
4. This case is DISMISSED due to plaintiff's failure to pay the filing fee.

DONE this the 28th day of July, 2009.

/s/ Mark E. Fuller
CHIEF UNITED STATES DISTRICT JUDGE