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

GENE COGGINS,)
)
Plaintiff,)
v.) CASE NO. 3:09-cv-0857-TMH
) WO
LEE COUNTY CIRCUIT CLERK'S)
OFFICE, <i>et al.</i> ,)
)
Defendants.)

<u>ORDER</u>

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

of the court that:

1. The plaintiff's objection (Doc. #9) to the Recommendation of the Magistrate Judge

filed on April 21, 2010 is overruled;

2. The Recommendation of the Magistrate Judge (Doc. #8) entered on April 14, 2010

is adopted;

3. This action is DISMISSED due to plaintiff's failure to pay the filing fee.

4. Plaintiff's "Motion for Default and Default Judgment" is DENIED.

DONE this the 28th day of April, 2010.

/s/ Truman M. Hobbs SENIOR UNITED STATES DISTRICT JUDGE