

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

GENE COGGINS,)	
)	
Plaintiff,)	
)	
v.)	CASE NO. 3:11-CV-291-WKW
)	
HUGULEY WATER)	
DEPARTMENT, <i>et al.</i> ,)	
)	
Defendants.)	

ORDER

On December 21, 2011, the Magistrate Judge filed a recommendation that this case be dismissed because Plaintiff Coggins failed to pay the civil action filing fee within the time allowed by the court, in the absence of an order allowing him to proceed *in forma pauperis*. (Doc. # 8.) The Magistrate Judge had previously denied Plaintiff’s motion to proceed *in forma pauperis* and warned that dismissal of this action may be a consequence of the failure to pay the civil filing fee. (Doc. # 7 at 2.) Plaintiff objected to the recommendation. (Doc. # 9.) The portions of the recommendation to which a party objects are reviewed *de novo*. 28 U.S.C. § 636(b)(1).

A *de novo* review of the record and law confirms that the recommendation (Doc. # 8) is due to be adopted and the objections overruled. No new evidence is

offered to support Plaintiff's assertion that he is unable to pay the civil filing fee. Instead, Plaintiff only offers an incoherent, rambling argument, citing inapposite cases and presenting no new information or evidence to support a finding that Plaintiff can proceed *in forma pauperis*. Plaintiff has not been denied access to the courts, but must follow the same rules and procedures applicable to every litigant in this District.

Therefore, it is ORDERED as follows:

- (1) The Recommendation of the Magistrate Judge is ADOPTED; and
- (2) This case is DISMISSED for failure to pay the civil case filing fee.

DONE this 10th day of January, 2012.

/s/ W. Keith Watkins
UNITED STATES DISTRICT JUDGE