

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF TEXAS
DALLAS DIVISION

GERARDO ALBA

Petitioner,

VS.

RICK THALER, Director,
Texas Department of Criminal Justice,
Correctional Institutions Division

Respondent.


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NO. 3-09-CV-1643-B

ORDER

After conducting a review of the pleadings, files and records in this case, and the Findings and Recommendation of the United States Magistrate Judge in accordance with 28 U.S.C. § 636(b)(1), I am of the opinion that the Findings and Recommendation of the Magistrate Judge are correct and they are hereby accepted as the Findings of the Court. The application to proceed *in forma pauperis* [Doc. #4] is denied. Petitioner is ordered to pay the statutory filing fee within 20 days of the date of this recommendation. If he fails to do so, this case will be dismissed without further notice.

SO ORDERED this 29th day of September, 2009.



JANE J. BOYLE
UNITED STATES DISTRICT JUDGE