

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JACK HARRIS,	)	
	)	
Plaintiff,	)	4:06CV3017
	)	
v.	)	
	)	
DOUG DILTZ, in	)	MEMORANDUM AND ORDER
his individual and official	)	
capacity,	)	
	)	
Defendant.	)	
_____	)	

At the conclusion of the plaintiff's case the defense moved for a directed verdict. The matter was argued to the court in the absence of the jury, at the conclusion of which the court granted the motion. The motion is interpreted as a motion for judgment as a matter of law under [Fed. R. Civ. P. 50\(a\)](#).

Accordingly,

IT THEREFORE HEREBY IS ORDERED,

The motion is granted and judgment will be entered accordingly.

DATED October 16, 2008.

BY THE COURT:

s/ *David L. Piester*

David L. Piester  
United States Magistrate Judge