

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ROBERT F. BAKER,)	4:08CV3174
)	
Plaintiff,)	
)	
v.)	MEMORANDUM
)	AND ORDER
BRUCE HOLCOMB, M.D., et al.,)	
)	
)	
Defendants.)	

This matter is before the court on the plaintiff’s Motion for Reconsideration. (Filing No. [12](#).) In his Motion, the plaintiff requests that the court reconsider its November 12, 2008, and February 23, 2009, Memorandum and Orders. (*Id.*) As set forth in the court’s local rules, a motion for reconsideration must be filed “no later than ten (10) business days after the court files the order, unless the party shows good cause for a later filing.” [NeCivR 60.1\(b\)](#).

The plaintiff filed his Motion for Reconsideration more than four months after the court’s November 12, 2008, Memorandum and Order and 18 days after the court’s February 23, 2009, Memorandum and Order. The motion is untimely. The plaintiff has not provided the court with any reason, and therefore has failed to show “good cause,” for his late filing. The motion is denied.

The court notes that, rather than filing an amended complaint by March 19, 2009, the plaintiff filed his untimely Motion for Reconsideration. The plaintiff has already been given a lengthy extension of time in which to file an amended complaint. (Filing No. [11](#).) On the court’s own motion, the plaintiff shall have until April 21, 2009, in which to file an amended complaint, in accordance with the court’s previous memorandum and orders. In the event that the plaintiff fails to file an amended complaint by that date, this matter will be dismissed without

prejudice and without further notice. **No further extensions of time to file an amended complaint will be permitted.**

IT IS THEREFORE ORDERED that:

1. the plaintiff's Motion for Reconsideration (filing no. [12](#)) is denied.
2. the plaintiff shall have until April 21, 2009, to file an amended complaint in accordance with the court's previous memorandum and orders. **No further extensions of time to file an amended complaint will be permitted.**
3. in the event that the plaintiff fails to file an amended complaint by April 21, 2009, this matter will be dismissed without prejudice and without further notice.
4. the clerk of the court is directed to set a pro se case management deadline with the following text: April 21, 2009: deadline to file amended complaint.
5. the plaintiff shall keep the court informed of his current address at all times while this case is pending. **Failure to do so may result in dismissal without further notice.**

Dated March 23, 2009.

BY THE COURT

s/ Warren K. Urbom
United States Senior District Judge