

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

<b>JOSEPH BIOR KON,</b>	)	<b>CASE NO. 4:10CV3149</b>
	)	
<b>Plaintiff,</b>	)	
	)	
<b>v.</b>	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
<b>DOUGLAS COUNTY JAIL, and</b>	)	
<b>WESTON, Officer,</b>	)	
	)	
<b>Defendants.</b>	)	

This matter is before the court on its own motion. On August 20, 2010, the court entered a Memorandum and Order that required Plaintiff to “submit a signed application to proceed in forma pauperis, or pay the \$350.00 filing fee, on or before September 9, 2010.” (Filing No. [4](#) at CM/ECF p. 1.) The court warned Plaintiff that if he failed to comply with the court’s Memorandum and Order, this matter would be dismissed without further notice. (*Id.*) Plaintiff has not paid the filing fee, submitted a motion to proceed in forma pauperis, or otherwise responded to the court’s August 20, 2010, Memorandum and Order.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court’s orders;  
  
and
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 15<sup>th</sup> day of September, 2010.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

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