

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA**

PAVEL KISLYAK, ) CASE NO. 4:11CV3100  
 )  
 Plaintiff, )  
 )  
 v. ) MEMORANDUM  
 ) AND ORDER  
 )  
 YORK COUNTY SHERIFF'S )  
 DEPARTMENT, )  
 )  
 Defendant. )

This matter is before the court on its own motion. The above-captioned matter was provisionally filed on June 21, 2011. (Filing No. [1](#).) However, due to certain technical defects, the Complaint cannot be further processed until such defects are corrected. To assure further consideration of the Complaint, Plaintiff must correct the defect listed below.

**FAILURE TO CORRECT THE DEFECT WILL RESULT IN DISMISSAL OF THE  
PETITION.**

Plaintiff has failed to include the \$350.00 filing fee. Plaintiff has the choice of either tendering the \$350.00 fee to the Clerk of the court or submitting a request to proceed in forma pauperis and an affidavit of poverty in support thereof. If Plaintiff chooses to do the latter, the enclosed pauper's forms should be completed and returned to this court. Plaintiff is cautioned that, if he is permitted to proceed in forma pauperis, he will still be required to pay the entire \$350.00 filing fee. However, he will be allowed to pay the filing fee in installments in accordance with 28 U.S.C. § 1915.

**IT IS THEREFORE ORDERED that:**

1. Plaintiff is directed to correct the above-listed technical defect in the Complaint on or before **August 5, 2011**;

2. Failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice;
3. The Clerk of the court is directed to send to Plaintiff the Form AO240, Application to Proceed Without Prepayment of Fees and Affidavit; and
4. The Clerk of the court is directed to set a pro se case management deadline in this matter with the following text: **August 5, 2011**: Check for MIFP or payment.

DATED this 7<sup>th</sup> day of July, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

---

\*This opinion may contain hyperlinks to other documents or Web sites. The U.S. District Court for the District of Nebraska does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.