

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BARRY W. FLETCHER, SR.,

Plaintiff,

v.

CATHIE PETERS,

Defendant.

4:12CV3179

ORDER

This matter is before the court on defendant Cathie Peters' motion in limine, [Filing No. 119](#), pursuant to [Fed. R. Evid. 401](#), [402](#) and [403](#). This is an action for a violation of First and Fourteenth Amendments rights under [42 U.S.C. § 1983](#), for wrongful withholding of mail. Defendant asks this court to exclude from the evidence the fact that her proposed witness, Derek Arnst, was apparently terminated from his employment at Tecumseh State Correctional Institution with the Nebraska Department of Correctional Services. Defendant contends that this evidence is irrelevant, prejudicial, confusing, waste of time, and undue delay of courtroom proceedings. The court notes that defendant failed to file a brief in support. However, the plaintiff did not respond or object to this motion.

The court reviewed the record and finds that this evidence does not appear to be relevant to the case at hand. The plaintiff offered no additional information that would indicate otherwise. Accordingly, the court will grant the motion in limine.

THEREFORE, IT IS ORDERED THAT defendant's motion in limine, [Filing No. 119](#), is granted.

Dated this 4th day of August, 2016.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge