

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

KENNETH BRANTELY, )  
)  
Plaintiff, )  
)  
v. )  
)  
BNSF RAILWAY COMPANY, )  
)  
Defendant. )

4:12CV3215

**MEMORANDUM  
AND ORDER**

Plaintiff, a non-prisoner, filed a Motion for Leave to Proceed In Forma Pauperis. (Filing No. [2](#).) Upon review of Plaintiff’s Motion, the court finds that Plaintiff is financially eligible to proceed in forma pauperis.

IT IS THEREFORE ORDERED that leave to proceed in forma pauperis is provisionally granted, and the Complaint shall be filed without payment of fees.

DATED this 16<sup>th</sup> day of October, 2012.

BY THE COURT:

*Richard G. Kopf*  
Senior United States District Judge