

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DONNELL KING,)	
)	
Plaintiff,)	4:13CV3061
)	
v.)	
)	
JOANNE HILGERT, MEL SOYH and)	ORDER AND JUDGMENT
TEK INDUSTRIES, INC.,)	
)	
Defendants.)	
_____)	

Pursuant to the memorandum opinion entered this date,
IT IS ORDERED:

1) Tek's Motion to Dismiss (Filing No. [40](#)) is granted and judgment is entered in favor of defendants and against plaintiff.

2) King's claims against Tek, Hilgert, and Soyh under [42 U.S.C. § 1981](#) and [42 U.S.C. § 1983](#) are dismissed with prejudice. Any remaining state law claims are dismissed without prejudice.

3) King's Motion for Court Order (Filing No. [43](#)) is denied as moot.

Plaintiff is hereby notified that the filing of a notice of appeal will make him liable for payment of the full \$505.00 appellate filing fee regardless of the outcome of the appeal. This is because the Prison Litigation Reform Act

requires an incarcerated civil appellant to pay the full amount of the \$505.00 appellate filing fee by making monthly payments to the court, even if he or she is proceeding in forma pauperis. [28 U.S.C. § 1915\(b\)](#). By filing a notice of appeal, plaintiff will be consenting to the deduction of the \$505.00 filing fee from his prison account by prison officials.

DATED this 11th day of March, 2015.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

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