

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

RONALD J. PROKUPEK, and)
CHRISTINE R. PROKUPEK,)
)
Plaintiffs,)
)
v.)
)
JON BRUNING, et al.,)
)
Defendants.)

4:13CV3225

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On July 31, 2014, the court conducted an initial review of Plaintiffs’ Amended Complaint and found that it failed to state a claim upon which relief may be granted. (Filing No. [12](#).) In its Memorandum and Order, the court gave Plaintiffs 30 days within which to file a second amended complaint. (Filing No. [12](#).) The court warned Plaintiffs that failure to file a second amended complaint by a specified date would result in dismissal of this matter without further notice. The deadline for filing a second amended complaint has passed, and Plaintiffs have not filed a second amended complaint or asked for an extension of time in which to do so.

IT IS THEREFORE ORDERED that: This matter is dismissed without prejudice. A separate Judgment will be entered in accordance with this Memorandum and Order.

DATED this 7th day of October, 2014.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge

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