

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BILLIE JOE CHAPMAN,)	
)	
Plaintiff,)	4:14CV3141
)	
v.)	
)	
YVONNE D. SOSA-GAYTON, TIM)	ORDER AND JUDGMENT
BURNS, DOUGLAS COUNTY PUBLIC)	
DEFENDERS OFFICE, and JUDGE)	
CONIGLIA,)	
)	
Defendants.)	
_____)	

Pursuant to the memorandum opinion entered herein this date,

IT IS ORDERED:

1. Chapman's claims against defendant Judge Coniglia are dismissed with prejudice.

2. Chapman's claims against Yvonne Sosa-Gayton and Tim Burns are dismissed without prejudice to reassertion in a habeas corpus action or similar proceeding.

3. **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 1st day of July, 2015.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court