

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MATTHEW HUNTER, et al.,)
)
Plaintiffs,)
)
v.)
)
NEBRASKA DEPARTMENT OF)
CORRECTIONS, FRED BRITTON,)
and SCOT FRAKES,)
)
Defendants.)

4:15CV3063

**MEMORANDUM
AND ORDER**

This matter is before the court on several documents filed by the plaintiffs in response to the court’s order dated June 16, 2015. The court provided each plaintiff—Shadoe Sukstorf, Matthew Hunter, Adam Koehler, Robert Gumpert, Orlando Brewer, John Bridgeford, and Steve Ebert—with an opportunity to “opt out” of this group litigation by so advising the court in writing. Each plaintiff was warned that failure to respond to the court’s order would obligate him to pay the full filing fee and would result in his dismissal from this action for want of prosecution. (*See* Filing No. [5](#).)

The following plaintiffs and interested parties responded by requesting to be dismissed from this group litigation: Adam Koehler, Shadoe Sukstorf, Robert Gumpert, Orlando Brewer, and John Bridgeford. As they were advised, they will be dismissed from this action and will not be required to pay the filing fee in this matter.

Steve Ebert did not sign the Complaint. Because it is entirely unclear whether he intended to join in this group litigation, the court will terminate him as an interested party to this case and will not require him to pay the filing fees associated with filing this action.

IT IS THEREFORE ORDERED that:

1. Matthew Hunter is the only remaining plaintiff in this case. The court will enter a separate order on Hunter's request to proceed in forma pauperis in this matter.

2. Adam Koehler, Shadoc Sukstorf, Robert Gumpert, Orlando Brewer, John Bridgeford, and Steve Ebert are dismissed from this action and they will not be required to pay the filing fee.

3. The clerk of the court is directed to send a copy of this order to the financial officer at the plaintiffs' place of incarceration.

DATED this 11th day of September, 2015.

BY THE COURT:

s/ John M. Gerrard

United States District Judge