

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

THOMAS DUANE STRAWDER,

Plaintiff,

vs.

STATE OF NEBRASKA, et al.  
Official/Individual Capacities;  
GOVERNOR PETE RICKETTS,  
Official/Individual Capacities; et al.,

Defendants.

**4:16CV3161**

**MEMORANDUM  
AND ORDER**

This matter is before the court on Plaintiff's motion ([Filing No. 50](#)) regarding the funds in his institutional trust account and his separate confiscated account. He asks the court to order the Nebraska Department of Correctional Services ("NDCS") to allow him "\$1000" (\$10.00) in unfrozen funds each month he works or, in the alternative, order NDCS to pay his filing fee in this case.

This case is closed. The court entered judgment on February 7, 2017. The court will not order NDCS to pay Plaintiff's filing fee in this case as payment of the full filing fee is his sole responsibility. See [28 U.S.C. § 1915\(b\)](#). Plaintiff may file a new complaint with an application to proceed in forma pauperis if he wishes to pursue the remaining allegations in his motion. **Plaintiff is warned that he will be responsible for paying the full amount of the court's \$350.00 filing fee if he files a new civil action.** See [In re Tyler](#), 110 F.3d 528, 529-30 (8th Cir. 1997); [Jackson v. N.P. Dodge Realty Co.](#), 173 F. Supp. 2d 951 (D. Neb. 2001).

IT IS THEREFORE ORDERED that:

1. Plaintiff's motion ([Filing No. 50](#)) is denied.
2. The clerk of the court is directed to send Plaintiff the Complaint for Violation of Civil Rights (Prisoner) and a Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").

Dated this 25th day of July, 2017.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge