

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CORDELL CURRY STEWART, )

8:08CV92

Plaintiff, )

v. )

**MEMORANDUM  
AND ORDER**

TOM P. MCKENNEY, STATE OF )

NEBRASKA, CITY OF OMAHA, )

and DOUGLAS COUNTY )

PROSECUTOR'S OFFICE, )

Defendants. )

This matter is before the court on its own motion. On June 10, 2008, the court entered a Memorandum and Order dismissing claims and directing the plaintiff to file an amended complaint no later than July 8, 2008. ([Filing No. 11.](#)) The plaintiff has not filed an amended complaint or any other response to the court's June 10, 2008, Memorandum and Order.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because the plaintiff failed to prosecute this matter diligently and failed to comply with this court's orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

Dated September 15, 2008.

BY THE COURT

s/ Warren K. Urbom  
United States Senior District Judge