

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CLENIX MARTIN,)	8:08CV117
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
DENNIS BAKEWELL, Warden,)	
et al.,)	
)	
Respondents.)	

This matter is before the court on its own motion. On June 9, 2008, the court ordered Respondent to conduct an investigation regarding whether Petitioner is deceased. ([Filing No. 11.](#)) On June 12, 2008, Respondent filed a statement confirming that Petitioner is, in fact, deceased. ([Filing No. 12.](#)) Because Petitioner is deceased, “there can be no future collateral consequences flowing from his imprisonment.” [McMillin v. Bowersox, 102 F.3d 987 \(8th Cir. 1996\)](#). This matter is therefore dismissed.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed with prejudice.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

September 17, 2008.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge