Abraham v. Jordan et al Doc. 10

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

GARY L. ABRAHAM, Special Administrator, Deceased,	)	8:08CV151
Plaintiff,	)	
v.	)	**MEMORANDUM AND ORDER**
MICHELLE J. JORDAN, et al.,	)	
Defendants.	)	

This matter is before the court on its own motion. As set forth in the court's previous Memorandum and Order, Plaintiff is not the sole beneficiary of the estate at issue here and therefore may only proceed in this action through counsel. (Filing No. 9; *see also* *Shepherd v. Wellman*, 313 F.3d 963, 970 (6th Cir. 2002); *Pridgen v. Andresen*, 113 F.3d 391, 393 (2d Cir. 1994); *Waite v. Carpenter*, 496 N.W.2d 1 (Neb. Ct. App. 1992). Plaintiff was given until September 8, 2008 to retain counsel. Plaintiff has not done so and this matter must be dismissed.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice.

2. A separate judgment will be entered in accordance with this Memorandum and Order.

September 30, 2008. BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge

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