

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

STANLEY A. SLUPKOWSKI,	)	8:08CV471
	)	
Petitioner,	)	
	)	
v.	)	
	)	
UNITED STATES OF AMERICA, et	)	
al.,	)	
	)	
Respondent.	)	
_____	)	

STANLEY A. SLUPKOWSKI,	)	8:08CV472
	)	
Plaintiff,	)	
	)	
v.	)	<b>MEMORANDUM</b>
	)	<b>AND ORDER</b>
UNITED STATES OF AMERICA,	)	
	)	
Defendant.	)	
_____	)	

These matters are before the court on Stanley A. Slupkowski’s (“Slupkowski”) Motion “for both proceedings to be held in same court and same Jurist.” (Case No. 8:08CV471, Filing No. [5](#); Case No. 8:08CV472, Filing No. [6](#).) The court construes this Motion as a motion to consolidate Case No. 8:08CV471 and Case No. 8:08CV472.<sup>1</sup>

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<sup>1</sup>Slupkowski filed two separate cases, Case No. 8:08CV471 and Case No. 8:08CV472, on October 17, 2008. In his Motion, Slupkowski states that these cases “support each other.” (Case No. 8:08CV471, Filing No. [5](#) at CM/ECF p. 1; Case No. 8:08CV472, Filing No. [6](#) at CM/ECF p. 1.)

The court has carefully reviewed Slupkowski's Motion and will permit Slupkowski to consolidate these matters into one case. No later than January 29, 2009, Slupkowski shall file an amended complaint in Case No. 8:08CV472. The amended complaint shall contain all of Slupkowski's claims, including those presented in Case No. 8:08CV471. Any claims not contained in the amended complaint will be deemed abandoned. In the event that Slupkowski files an amended complaint in accordance with this Memorandum and Order, Case No. 8:08CV471 will be dismissed. However, the filing fee paid in Case No. 8:08CV471 **will not** be refunded. In the event that Slupkowski fails to file an amended complaint by January 29, 2009, both of these cases will be dismissed for failure to comply with court orders.

IT IS THEREFORE ORDERED that:

1. Slupkowski's Motion to consolidate cases (case no. 8:08CV471, filing no. [5](#); case no. 8:08CV472, filing no. [6](#).) is granted.
2. Slupkowski is permitted to consolidate these matters. No later than January 30, 2009, Slupkowski shall file an amended complaint in Case No. 8:08CV472. The amended complaint shall contain all of Slupkowski's claims, including those presented in Case No. 8:08CV471. Any claims not contained in the amended complaint will be deemed abandoned.
3. In the event that Slupkowski files an amended complaint in accordance with this Memorandum and Order, Case No. 8:08CV471 will be dismissed. However, the filing fee paid in Case No. 8:08CV471 **will not** be refunded.
4. In the event that Slupkowski fails to file an amended complaint by January 29, 2009, both of these cases will be dismissed for failure to comply with a court order and for failure to prosecute diligently.

5. The Clerk of the court is directed to set a pro se case management deadline in Case No. 8:08CV472 with the following text: January 30, 2009: deadline for Slupkowski to file amended complaint.

December 30, 2008.

BY THE COURT:

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