

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

SHANE MATTHEW MCKINLEY,	)	
	)	
Plaintiff,	)	8:09CV222
	)	
v.	)	
	)	
OMAHA POLICE DEPARTMENT,	)	ORDER
	)	
Defendant.	)	
_____	)	

This matter is before the Court on plaintiff's motion to reopen case (Filing No. [12](#)). This matter was dismissed on November 2, 2009, because plaintiff failed to amend his complaint (Filing Nos. [10](#) and [11](#)). In his motion, plaintiff states that he submitted an amended complaint, but the clerk of the court docketed it as a new case, Case No. 8:09CV371 (Filing No. [12](#)). Indeed, a review of the Court's records shows that Case No. 8:09CV371 deals with the same issues and sets forth the same or similar claims as this matter (Filing No. [1](#); Case No. 8:09CV371, Filing No. [1](#)). That matter is still open and plaintiff has been directed to complete service of process by June 10, 2010 (Case No. 8:09CV371, Filing No. [17](#)). In short, the Court is permitting plaintiff the opportunity to pursue his claims in Case No. 8:09CV371, and sees no reason to reopen this duplicative matter. Accordingly,

IT IS ORDERED that plaintiff's motion to reopen case  
(Filing No. [12](#)) is denied.

DATED this 14th day of April, 2010.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court