

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

WARREN ANDERSON JR.,) 8:10CV13
)
 Plaintiff,)
)
 v.) **MEMORANDUM
 AND ORDER**
)
 CRAIG WYLIE, CHRIS DUFFEK, and)
 BAGGETT,)
)
 Defendants.)

This matter is before the court on its own motion. On March 16, 2010, the court entered a Memorandum and Order granting Plaintiff until April 16, 2010, to amend his Complaint and clearly state a claim upon which relief may be granted against Defendants. (Filing No. [9](#) at CM/ECF p. 6.) In doing so, the court warned Plaintiff that if he failed to file an amended complaint by April 16, 2010, his claims against Defendants would be dismissed without further notice for failure to state a claim upon which relief may be granted. ([Id.](#)) Plaintiff has failed to file an amended complaint in accordance with the court's March 16, 2010, Memorandum and Order. (*See* Docket Sheet.)

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because 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 this 26th day of April, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge

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