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## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

0.10017440

JUAN BRADLEY,	)	8:10CV443
Plaintiff,	)	
V.	)	MEMORANDUM
CORPORAL PERRY, FRED	)	AND ORDER
BRITTEN, Warden, and WARREN	)	
K. URBOM,	)	
	)	
Defendants.	)	

This matter is before the court on its own motion. On January 12, 2011, the court dismissed Plaintiff's Complaint without prejudice and entered Judgment against him. (Filing Nos. 9 and 10.) On January 18, 2011, Plaintiff filed a Notice of Appeal of the court's Judgment. (Filing No. 11.) However, Plaintiff did not submit the \$455.00 appellate filing fee, nor did he submit a motion to proceed in forma pauperis ("IFP"). (See Filing No. 12.) Plaintiff was not previously given leave to proceed IFP in the district court.

## IT IS THEREFORE ORDERED that:

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- 1. Plaintiff shall have until February 14, 2011, to either submit the \$455.00 appellate filing fee or a Motion to Proceed IFP, with the required affidavit. If Plaintiff takes no action, his appeal will not be processed.
- 2. Plaintiff is reminded that the Prison Litigation Reform Act makes the prisoner liable for payment of the full \$455.00 appellate filing fee regardless of the outcome of the appeal. An incarcerated civil appellant is required to pay the full amount of the \$455.00 filing fee by making monthly payments to the court, even if he is proceeding in forma pauperis. 28 U.S.C. § 1915(b).

3. The Clerk of the court shall not process the appeal in this matter pending further order of the court.

DATED this 24th day of January, 2011.

BY THE COURT:

Richard G. Kopf United States District Judge

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