

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DANIEL J. LATHROP,)
)
 Petitioner,)
)
 v.)
)
 ATTORNEY GENERAL OF)
 NEBRASKA, and FRED BRITTEN,)
)
 Respondents.)

8:11CV32

**MEMORANDUM
AND ORDER**

This matter is before the court on Petitioner’s Motion for Leave to Appeal In Forma Pauperis (filing no. [21](#)) and Notice of Appeal (filing no. [20](#)). This court already granted Petitioner leave to appeal in forma pauperis on August 31, 2011. (Filing No. [17](#).) The Clerk of court processed Petitioner’s appeal the following day. (Filing No. [18](#).) Thus, Petitioner’s filings are duplicative.

IT IS THEREFORE ORDERED that:

1. Petitioner’s Motion for Leave to Appeal In Forma Pauperis (filing no. [21](#)) is denied as duplicative.

2. The Clerk of the court is directed not to process Petitioner’s duplicative Notice of Appeal and to send a copy of this Memorandum and Order to the Eighth Circuit Court of Appeals.

DATED this 28th day of September, 2011.

BY THE COURT:

s/ Joseph F. Bataillon
 Chief United States District Judge