

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

**ANDREW A. HERZOG,** )  
 )  
 **Plaintiff,** )  
 )  
 **v.** )  
 )  
 **DAWN P. DANIELS, et al.,** )  
 )  
 **Defendants.** )

**CASE NO. 8:11CV60**

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On June 22, 2011, this court ordered Plaintiff Andrew A. Herzog (“Herzog”) to show cause why this action should not be dismissed for lack of subject-matter jurisdiction. (Filing No. [15](#).) The court gave Herzog until July 22, 2011, to do so. (*Id.* at CM/ECF p. 3.) To date, Herzog has not responded to the court’s order. For this reason,

IT IS THEREFORE ORDERED that: Herzog’s Complaint (Filing No. [1](#)) is dismissed without prejudice for failure to prosecute this matter diligently and failure to comply with the court’s orders. A separate judgment will be entered in accordance with this Memorandum and order.

DATED this 10<sup>th</sup> day of August, 2011.

BY THE COURT:

s/Laurie Smith Camp  
United States District Judge

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