

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

DALE YELLOW HORSE, and)
DARIN LITTLE WHITE MAN,)

8:12CV16

Plaintiffs,)

**MEMORANDUM
AND ORDER**

v.)

DAWES COUNTY JAIL, KARL J.)
BAILEY, Sheriff, and STEVE)
CRILE, Jailer,)

Defendants.)

This matter is before the court on its own motion. The above-captioned matter has been provisionally filed on December 9, 2011. (Filing No. 1.) However, due to certain technical defects, the Complaint cannot be further processed until such defects are corrected. To assure further consideration of the Complaint, Plaintiff Darin Little White Man must correct the defects listed below. **FAILURE TO CORRECT THE DEFECT WILL RESULT IN DISMISSAL OF THE PETITION.**

Plaintiff Darin Little White Man has failed to include the \$350.00 filing fee. Plaintiff Darin Little White Man has the choice of either tendering the \$350.00 fee to the Clerk of the court or submitting a request to proceed in forma pauperis and an affidavit of poverty in support thereof. If Plaintiff Darin Little White Man chooses to do the latter, the enclosed pauper's forms should be completed and returned to this court. Plaintiff Darin Little White Man is cautioned that, if he is permitted to proceed in forma pauperis, he will still be required to pay the entire \$350.00 filing fee. However, he will be allowed to pay the filing fee in installments in accordance with 28 U.S.C. § 1915. Further, Plaintiff Darin Little White Man did not sign the Complaint in this matter. (Filing No. 1.)

IT IS THEREFORE ORDERED that:

1. Plaintiff Darin Little White Man is directed to correct the above-listed technical defects in the Complaint on or before **March 12, 2012**. By this date, Plaintiff Darin Little White Man must sign the Complaint, and either pay the \$350.00 filing fee or file a motion for leave to proceed in forma pauperis.

2. Failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice as to Plaintiff Darin Little White Man.

3. The Clerk of the court is directed to send to Plaintiff Darin Little White Man the Form AO240, Application to Proceed Without Prepayment of Fees and Affidavit.

4. The Clerk of the court is directed to set a pro se case management deadline in this matter with the following text: March 12, 2012: Check for MIFP or payment and signed Complaint.

DATED this 10th day of February, 2012.

BY THE COURT:

Richard G. Kopf

Senior United States District Judge

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