

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

EASTERN NEBRASKA HUMAN
SERVICES AGENCY,

Plaintiff,

vs.

UNITED STATES OF AMERICA,

Defendant.

8:12-CV-53

ORDER

This matter is before the Court on the defendant's "Answer" (filing [20](#)), which the Court has construed as a motion to dismiss. In that filing, the defendant represented that the Internal Revenue Service had been directed to credit or refund overpayments to the plaintiff, and that doing so would take "approximately sixty days." Filing [20](#).

The plaintiff has not responded to the defendant's filing, and the 60-day period contemplated by the filing has elapsed. Therefore, the Court will direct the plaintiff to show cause why the case should not be dismissed. Such a showing could be made, for instance, by evidence that the overpayments alleged by the plaintiff have not been credited or refunded as promised by the defendant.

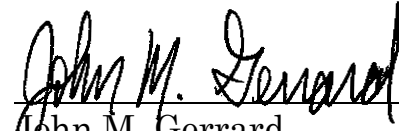
IT IS ORDERED:

1. The plaintiff shall show cause, by an appropriate filing on or before July 23, 2012, why this case should not be dismissed.
2. The plaintiff's failure to file a timely response to this order will result in the case being dismissed without further notice.
3. Should the plaintiff file a response, the defendant may file a reply in support of its motion to dismiss on or before August 6, 2012.

4. The Clerk of the Court shall establish a show cause deadline of July 23, 2012.

Dated this 3rd day of July, 2012.

BY THE COURT:



John M. Gerrard
United States District Judge