

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

CLAUDE S. HARRIS, )  
)  
Plaintiff, )  
)  
v. )  
)  
DECKER TRUCK LINE, et al., )  
)  
Defendants. )

8:12CV141

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On June 19, 2012, the court conducted an initial review of Plaintiff’s Complaint and found that it failed to state a claim upon which relief may be granted. (Filing No. [7](#).) The court gave Plaintiff the opportunity to amend his claims, but warned Plaintiff that if he failed to amend his Complaint by July 20, 2012, his Complaint would “be dismissed without further notice for failure to state a claim upon which relief may be granted.” (*Id.* at CM/ECF p. 4.) Plaintiff has not amended his claims and the time in which to do so has now passed.

IT IS THEREFORE ORDERED that: Pursuant to [28 U.S.C. § 1915\(e\)\(2\)\(B\)\(ii\)](#), Plaintiff’s Complaint is dismissed without prejudice because it fails to state a claim upon which relief may be granted. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 13th day of August, 2012.

BY THE COURT:

*s/ John M. Gerrard*

United States District Judge

---

\*This opinion may contain hyperlinks to other documents or Web sites. The U.S. District Court for the District of Nebraska does not endorse, recommend, approve, or guarantee any third parties or the services or products they provide on their Web sites. Likewise, the court has no agreements with any of these third parties or their Web sites. The court accepts no responsibility for the availability or functionality of any hyperlink. Thus, the fact that a hyperlink ceases to work or directs the user to some other site does not affect the opinion of the court.