

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

|                         |   |                   |
|-------------------------|---|-------------------|
| EDMOND R. JESSE, and    | ) | 8:12CV278         |
| KATHLEEN M. JESSE,      | ) |                   |
|                         | ) |                   |
| Plaintiffs,             | ) |                   |
|                         | ) | <b>MEMORANDUM</b> |
| v.                      | ) | <b>AND ORDER</b>  |
|                         | ) |                   |
| LANCE R. JESSE, et al., | ) |                   |
|                         | ) |                   |
| Defendants.             | ) |                   |

This matter is before the court on its own motion. The above-captioned matter has been provisionally filed on August 2, 2012. (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, Plaintiffs must correct the defect listed below. **FAILURE TO CORRECT THE DEFECT MAY RESULT IN DISMISSAL OF THE PETITION.**

Plaintiffs have failed to include the \$350.00 filing fee. Plaintiffs have 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 Plaintiffs choose to do the latter, the enclosed pauper's forms should be completed and returned to this court. **Each Plaintiff must submit a request to proceed in forma pauperis and an affidavit of poverty in support thereof.**

IT IS THEREFORE ORDERED that:

1. Plaintiffs are directed to correct the above-listed technical defect in the Complaint on or before September 13, 2012.

2. Failure to comply with this Memorandum and Order will result in dismissal of this matter without further notice.

3. The Clerk of the court is directed to send to **each** Plaintiff 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: September 13, 2012: deadline for payment or filing of IFP application.

DATED this 13th day of August, 2012.

BY THE COURT:

*s/ John M. Gerrard*  
United States District Judge

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