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IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ANTHONY P. PURDY,	)	**CASE NO. 8:12CV302**
	)	
Plaintiff,	)	
	)	
v.	)	**MEMORANDUM**
	)	**AND ORDER**
TRAVIS WAMPLER, Douglas County Public Defender Office, Douglas County, City of Omaha,	)	
	)	
Defendant.	)	

This matter is before the court on its own motion. On September 24, 2012, the court entered a Memorandum and Order provisionally filing this matter but requiring Plaintiff to either file a motion for leave to proceed in forma pauperis or pay the $350.00 filing fee no later than October 24, 2012. (Filing No. 4.) The court warned Plaintiff that failure to comply with its Memorandum and Order would result in dismissal of this matter without further notice. (*Id.*) Plaintiff has not paid the $350.00 filing fee or submitted a motion for leave to proceed in forma pauperis.

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice for failure to pay the court's filing fee and for failure to comply with a court order; and

2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 29th day of October, 2012.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge

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