

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ARTHUR JAMES GRIFFIN JR.,            )  
  )  
  Plaintiff,                                )  
  )  
  v.    )  
  )  
TODD SCHMADERER, Omaha            )  
Police Chief, MIKE MYERS,            )  
Director, and DOUGLAS COUNTY        )  
DEPARTMENT CORRECTIONS,            )  
  )  
  Defendants.                                )

8:13CV88

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On March 15, 2013, the plaintiff, Arthur James Griffin Jr. (“Griffin”), filed his Complaint in this matter along with a Motion for Leave to Proceed in Forma Pauperis (“IFP”). (Filing Nos. [1](#) and [2](#).) On April 17, 2013, I granted Griffin’s IFP motion and assessed an initial partial filing fee pursuant to [28 U.S.C. § 1915\(b\)\(1\)](#). (Filing No. [18](#).) In doing so, I warned Griffin that his case would be subject to dismissal if he failed to pay the initial partial filing fee by May 16, 2013. (*Id.*)

The May 16, 2013, deadline has passed and Griffin has not paid the initial partial filing fee in this matter. (*See* Docket Sheet.) Therefore, Griffin’s case is dismissed for failing to comply with the court’s orders. *See* [Fed. R. Civ. Pro. 41\(b\)](#); *see also* [Conley v. Holden, No. 03-3908, 2004 WL 2202452, at \\*1 \(8th Cir. Sept. 21, 2004\)](#) (affirming district court’s dismissal of inmate’s case for failing to pay the assessed initial partial filing fee).

IT IS THEREFORE ORDERED that:

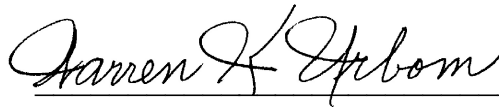
1. Griffin's Complaint (filing no. [1](#)) is dismissed without prejudice because he failed to comply with this court's orders.

2. All pending motions are denied.

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

Dated May 28, 2013.

BY THE COURT

A handwritten signature in cursive script, reading "Warren K. Urbom", is written above a horizontal line.

Warren K. Urbom  
United States Senior District Judge

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