

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

ROBERT DAVIS, )  
 )  
 Petitioner, )  
 )  
 v. )  
 )  
 WASHINGTON COUNTY )  
 NEBRASKA STATES )  
 ATTORNEYS OFFICE, Agency )  
 Administrative Head, )  
 )  
 Respondent. )

8:13CV145

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On July 25, 2013, the court informed Petitioner that his Petition for Writ of Habeas Corpus (“Petition”) was insufficient because it must “substantially follow either the form appended to [the] rules, or a form prescribed by a local district-court rule.” See [Rule 2 of the Rules Governing Section 2254 Cases in the United States District Courts](#). (Filing No. [7](#).) The court gave Petitioner 30 days to amend his Petition using Form AO 241, but warned Petitioner that if he failed to amend by August 26, 2013, his Petition would be dismissed “without further notice.” (*Id.* at CM/ECF p. 2.) Petitioner failed to file an amended petition by the court’s deadline. (See Docket Sheet.) Accordingly,

IT IS THEREFORE ORDERED that:

1. This matter is dismissed without prejudice because Plaintiff failed to prosecute this matter diligently and failed to comply with this court’s orders.
2. A separate judgment will be entered in accordance with this Memorandum and Order.

DATED this 30<sup>th</sup> day of August, 2013.

BY THE COURT:

*Richard G. Kopf*

Senior United States District Judge

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