

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JUSTIN OLIVER,	)	
	)	
Plaintiff,	)	8:14CV62
	)	
v.	)	
	)	
OMAHA POLICE DEPARTMENT and	)	MEMORANDUM AND ORDER
AARON GURZICK, ser no. 1884,	)	
	)	
Defendants.	)	
_____	)	

This matter is before the Court on correspondence from plaintiff dated April 30, 2014 (Filing No. [13](#).) Plaintiff states that he has "no financial income or outside support" and asks for a "payment arrangement" for payment of the Court's filing fee.

Under the Prison Litigation Reform Act, an indigent inmate who files a lawsuit in federal court must pay the \$350.00 filing fee, first by making an initial partial payment and then by sending the remainder of the fee to the Court in installments. The method for collecting the filing fee from a prisoner is specifically provided for in [28 U.S.C. § 1915\(b\)](#). Section 1915(b) is written in mandatory terms ("shall"), leaving no discretion to the district court to waive an in forma pauperis prisoner's filing fee.

In this case, plaintiff was granted leave to proceed in forma pauperis on April 16, 2014, and the Court assessed an

initial partial filing fee in the amount of \$1.40 to be paid by May 12, 2014 (Filing No. [12](#)). To date, plaintiff has not paid the initial partial filing fee. On the Court's own motion, plaintiff will be given 30 days from the date of this memorandum and order in which to pay the initial partial filing fee. If the Court does not receive payment within 30 days, this case will be dismissed.

IT IS ORDERED:

1. Plaintiff shall have an extension of time, until 30 days from the date of this memorandum and order, in which to pay an initial partial filing fee in the amount of \$1.40. Failure to pay the initial partial filing fee within 30 days will result in dismissal of this case without further notice.

2. The clerk's office is directed to set a pro se case management deadline in this case using the following text:  
**July 7, 2014:** Deadline for plaintiff to pay initial partial filing fee.

DATED this 5th day of June, 2014.

BY THE COURT:

/s/ Lyle E. Strom

---

LYLE E. STROM, Senior Judge  
United States District Court

---

\*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.