

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

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

This matter is before the Court on its own motion.

Plaintiff filed his complaint in this case on February 27, 2014 (Filing No. [1](#)). On April 16, 2014, the Court assessed an initial partial filing fee in the amount of \$1.40 in accordance with [28 U.S.C. § 1915\(b\)\(1\)](#) (Filing No. [12](#)). On June 5, 2014, on its own motion, the Court extended the time in which plaintiff had to pay the initial partial filing fee (Filing No. [14](#)). The Court warned plaintiff that failure to pay the initial partial filing fee within 30 days would result in dismissal of this case.

The deadline for paying the fee has passed and plaintiff has not paid it or asked for an extension of time in which to do so. Therefore, plaintiff's case will be dismissed because he failed 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 comply with court's order that he pay the assessed initial partial filing fee). A separate order will be entered in accordance with this memorandum opinion.

DATED this 4th day of August, 2014.

BY THE COURT:

/s/ Lyle E. Strom

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LYLE E. STROM, Senior Judge  
United States District Court

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