

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

SERGIO BUTLER, MICHAEL EVANS,)
BAO NGUYEN, JESSE DYER,)
BRENT ABBINK, MIGUEL ALVAREZ,)

Plaintiffs,)

8:14CV306

v.)

LANCASTER COUNTY DEPT OF)
CORRECTIONS and LANCASTER)
COUNTY,)

MEMORANDUM AND ORDER

Defendants.)

This matter is before the Court on the complaint in this action filed by six prisoner plaintiffs (Filing No. [1](#)). Only one of the named plaintiffs, Sergio Butler, has filed a motion for leave to proceed in forma pauperis. No other plaintiff has filed a motion for leave to proceed in forma pauperis or paid the Court's \$400 filing and administrative fees. (See Docket Sheet.)

In the United States District Court for the District of Nebraska, joinder of prisoner plaintiffs is allowed; however, **each prisoner plaintiff must pay a separate filing fee, notwithstanding the collection of multiple fees per case.** See [Cole v. Houston, No. 4:06cv3314, 2007 WL 1309821 \(D. Neb. March 30, 2007\)](#).

Here, the following plaintiffs have failed to include the \$400.00 filing and administrative fees: Michael Evans, Bao Nguyen, Jesse Dyer, Brent Abbink, and Miguel Alvarez. Each of these plaintiffs must either tender the \$400.00 filing and administrative fees to the Clerk of the Court or submit a request to proceed in forma pauperis which, if granted, would allow him to pay the filing fee in installments. If plaintiffs choose to do the latter, the enclosed pauper's forms should be completed and returned to this Court.

IT IS ORDERED:

1. The following plaintiffs are directed to correct the above-listed technical defects within 30 days of the date of this memorandum and order: Michael Evans, Bao Nguyen, Jesse Dyer, Brent Abbink, and Miguel Alvarez. Failure of any plaintiff to comply with this memorandum and order will result in dismissal of this matter as to such plaintiff.

2. The Clerk of the Court is directed to send the Form A0240 ("Application to Proceed Without Prepayment of Fees and Affidavit") to Michael Evans, Bao Nguyen, Jesse Dyer, Brent Abbink, and Miguel Alvarez.

3. The Clerk of the Court is directed to set a pro se case management deadline in this matter with the following text:

November 11, 2014: Check for MIFP or payment from each plaintiff;
dismiss as to any plaintiff who did not comply.

DATED this 9th day of October, 2014.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

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