

IN THE UNITED STATES DISTRICT COURT

FOR THE DISTRICT OF NEBRASKA

SERGIO BUTLER and MICHAEL)
 EVANS,)
)
 Plaintiffs,)
)
 v.)
)
 LANCASTER COUNTY DEPT OF)
 CORRECTIONS and LANCASTER)
 COUNTY,)
)
 Defendants.)
 _____)

8:14CV306

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. On December 9, 2014, the Court ordered plaintiff Michael Evans to either file a new application for leave to proceed in forma pauperis or pay the court's \$400.00 filing and administrative fees within 30 days. The Court noted in its order that Evans was released from incarceration on November 4, 2014. Plaintiff was warned that failure to take either action would result in this case being dismissed as to him without prejudice and without further notice. To date, Evans has not filed a new application for leave to proceed in forma pauperis or paid the Court's filing and administrative fees.

IT IS ORDERED:

1. Plaintiff Michael Evans is dismissed from this action. The clerk's office is directed to update its records to reflect that Surgio Butler is the only remaining plaintiff.

2. Evans's Motion for Leave to Proceed in Forma Pauperis (Filing No. [20](#)), filed while Evans was still incarcerated, is denied as moot.

DATED this 11th day of March, 2015.

BY THE COURT:

/s/ Lyle E. Strom

LYLE E. STROM, Senior Judge
United States District Court

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