

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MICHAEL PATRICK SATHER,)

8:14CV350

Plaintiff,)

v.)

**MEMORANDUM
AND ORDER**

MICHAEL L. KENNEY, (et.al.), and)
DIRECTOR OF NDCS, Official)
Capacity and Individual Capacity,)

Defendants.)

Plaintiff filed his Complaint in this matter on November 10, 2014, while he was incarcerated. The court granted him leave to proceed in forma pauperis on November 12, 2014, also while he was incarcerated. Plaintiff filed a change of address on November 20, 2014, indicating that he is no longer incarcerated. (*See* Filing No. [8](#).)

Since Plaintiff is no longer incarcerated, he must file a new application for leave to proceed in forma pauperis if he wishes to continue pursuing this case in forma pauperis. Plaintiff may, in the alternative, pay the court's \$400.00 filing and administrative fees.

IT IS THEREFORE ORDERED that:

1. Plaintiff must either file a new request for leave to proceed in forma pauperis or pay the court's \$400.00 filing and administrative fees within 30 days. Failure to take either action will result in dismissal of this matter without further notice to Plaintiff.

2. The clerk of the court is directed to send to Plaintiff the Form AO 240, "Application to Proceed Without Prepayment of Fees and Affidavit."

3. The clerk of the court is directed to set a pro se case management deadline with the following text: March 20, 2015: check for new IFP application or filing fee payment.

4. The clerk's office is directed to term the motion event appearing at Filing No. [14](#) and update the docket text to reflect that the document is an amended complaint. The court will consider Filing Number 14 as supplemental to Plaintiff's original Complaint.

DATED this 17th day of February, 2015.

BY THE COURT:

s/ John M. Gerrard
United States District Judge

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