

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

STEVEN K. BATTLE,)
)
 Plaintiff,)
)
 v.)
)
 NEBRASKA STATE PRISON)
 MEDICAL DEPT., DR.)
 FERGUSON, official and individual)
 capacities, NEBRASKA DEPT. OF)
 CORRECTIONS, KITCHEN STAFF)
 AT N.S.P., and UNIT #6 IN)
 OFFICIAL CAPACITY,)
)
 Defendants.)

8:14CV398

**MEMORANDUM
AND ORDER**

This matter is before the court on Plaintiff Steven Battle’s notice of change of address. Plaintiff is no longer a prisoner and the court must determine whether he still qualifies for in forma pauperis status. Plaintiff must submit an updated request to proceed in forma pauperis and poverty affidavit. In the alternative, Plaintiff may tender the \$400.00 filing and administrative fees to the Clerk of Court.

IT IS THEREFORE ORDERED that:

1. Plaintiff must either submit an updated request to proceed in forma pauperis and poverty affidavit or tender the court’s \$400.00 filing and administrative fees within 30 days. Failure to take either action will result in the court dismissing this action without further notice to Plaintiff.

2. The Clerk of Court is directed to send to Plaintiff the Form AO240, Application to Proceed Without Prepayment of Fees and Affidavit.

3. The Clerk of Court is directed to set a pro se case management deadline in this matter with the following text: **February 2, 2015**: deadline for payment or filing of IFP application.

DATED this 5th day of January, 2015.

BY THE COURT:

s/ Joseph F. Bataillon
Senior United States District Judge