

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA**

BILLIE JOE CHAPMAN,)
)
Plaintiff,)
)
 v.)
)
YVONNE D. SOSA-GAYTON, TIM)
BURNS, and ALL OF THE DOUGLAS)
COUNTY PUBLIC DEFENDERS)
OFFICE IN OMAHA, NEBRASKA,)
DOUGLAS COUNTY, NE,)
)
Defendants.)
)

8:15CV304

**MEMORANDUM
AND ORDER**

Plaintiff Billie Joe Chapman filed his Complaint in this matter on August 17, 2015, while he was incarcerated. The Court takes judicial notice of Iowa Department of Corrections public records, which show that Chapman has been released from incarceration. See *Stutzka v. McCarville*, 420 F.3d 757, 761 n.2 (8th Cir. 2005) (stating that the Court may take judicial notice of public records).

Chapman has an obligation to keep the Court informed of his current address at all times. See NEGenR 1.3(e) and (g) (requiring pro se parties to adhere to local rules and inform the Court of address changes within 30 days). This case cannot be prosecuted in this Court if Chapman's whereabouts remain unknown.

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

IT IS ORDERED that:

1. Chapman must (a) apprise the Court of his current address within 30 days, and (b) 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 Chapman 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 in this case using the following text: November 24, 2015: check for address and new IFP; dismiss if no update.

DATED this 21st day of October, 2015.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge