

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

ERNEST MEDINA,

)

8:15CV332

)

Plaintiff,

)

)

v.

)

**MEMORANDUM
AND ORDER**

)

MICHAEL THURBER, et al.,

)

)

Defendants.

)

On September 15, 2015, the Court ordered Plaintiff to pay the \$400.00 filing and administrative fees or file a request for leave to proceed in forma pauperis within 30 days or face dismissal of this action. In this same order, the Court directed the clerk of the court to send to Plaintiff the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit"). To date, Plaintiff has not paid the fees, returned the completed Form AO240, or submitted any other request for leave to proceed in forma pauperis. Accordingly,

IT IS ORDERED: This matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this Court's orders. The Court will enter judgment by a separate document.

DATED this 3rd day of November, 2015.

BY THE COURT:

s/Laurie Smith Camp
Chief United States District Judge