

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

MEE MEE BROWN,)
)
 Plaintiff,)
)
 v.)
)
 COURTNEY PHILIPS, Director,)
 SHANNON BLACK, Program Director,)
 KYLE MALONE, SOS Team Leader,)
 WILLIAM BECKER, Program Therapist,)
 CINDY DYKEMAN, Program Manager,)
 and LISA LAURELL, Program Social)
 Worker, et. al.,)
)
 Defendants.)
 _____)
)

8:16CV377

**MEMORANDUM
AND ORDER**

Plaintiff, a civilly committed non-prisoner, was found financially eligible to proceed in forma pauperis in this case (Filing No. [6](#)), and the court subsequently analyzed Plaintiff’s complaints under [28 U.S.C. § 1915\(e\)\(2\)](#).¹ However, the Judgment dismissing this case erroneously contained language applicable only to prisoners under the Prison Litigation Reform Act. Therefore, and pursuant to [Fed. R. Civ. P. 60\(a\)](#) (court may correct mistake in judgment on its own without notice), an Amended Judgment shall be entered, after which Plaintiff will have 30 days to file a notice of appeal. Accordingly,

IT IS ORDERED that an Amended Judgment shall be entered, after which Plaintiff has 30 days to file a notice of appeal.

DATED this 8th day of May, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge

¹The Eighth Circuit Court of Appeals has held that civilly committed individuals are not prisoners and are not subject to [28 U.S.C. § 1915\(a\)-\(b\)](#). [Kolocotronis v. Morgan, 247 F.3d 726, 728 \(8th Cir. 2001\)](#); *see also* [Perkins v. Hedricks, 340 F.3d 582, 583 \(8th Cir. 2003\)](#) (per curiam) (“Perkins appears to be civilly committed and is thus not a prisoner within the meaning of the PLRA.”); [Pendleton v. Sanders, 565 F. App’x 584 \(8th Cir. 2014\)](#) (a civilly committed plaintiff is not a “prisoner” under the PLRA) (unpublished).