

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JOSHUA G. FRANKLIN, SR.,

Plaintiff,

vs.

SCOTT FRAKES, Director, In his  
Individual and Official Capacity;  
DIANE SABATKA-RINE, Deputy  
Director, In her Individual and Official  
Capacity; FRED BRITTEN, Warden, In  
his Individual and Official Capacity;  
BRAD HANSEN, Warden, In his  
Individual and Official Capacity; et al.;

Defendants.

**8:16CV470**

**MEMORANDUM  
AND ORDER**

This matter is before the court on its own motion. On May 11, 2017, the court ordered Plaintiff to take reasonable steps to identify, within 30 days, Defendants John Does 1-10 and the OCC “second shift supervisor” during July of 2015. The court warned Plaintiff that failure to do so will result in dismissal of his claims against those individuals without prejudice and without further notice. ([Filing No. 21](#).) To date, Plaintiff has failed to identify those individuals or notified the court that he cannot identify them after taking reasonable steps to do so.

IT IS THEREFORE ORDERED that: John Does 1-10 and the OCC “second shift supervisor” during July of 2015 are dismissed from this case without prejudice because Plaintiff failed to comply with the court’s order.

Dated this 21st day of June, 2017.

BY THE COURT:

*s/ Richard G. Kopf*

Senior United States District Judge