

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

BRIAN VAN AKIN,

Plaintiff,

vs.

STATE OF KANSAS CORP. et al.,

Defendant.

8:17-CV-94

MEMORANDUM AND ORDER

This matter is before the Court on the plaintiff's "objection" (filing 8) to the Court's dismissal of his complaint for lack of jurisdiction. *See* filing 6. The Court construes the plaintiff's request as a motion to alter or amend the judgment under Fed. R. Civ. P. 59(e). The Court has considered the plaintiff's motion, and it is denied.

The plaintiff also filed a Notice of Appeal (filing 9) on April 11, 2017. However, he failed to include the \$505.00 filing and docket fees to the clerk's office. Nor did he submit a request to proceed in forma pauperis. Failure to take either action within 30 days will result in the Court dismissing this case without further notice to the plaintiff.

IT IS ORDERED:

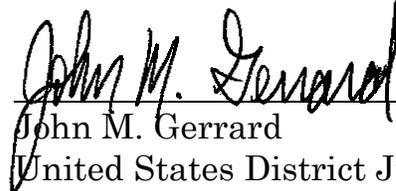
1. The plaintiff's motion to alter or amend the judgment (filing 8) is denied.
2. The plaintiff is directed to submit the \$505.00 fees to the clerk's office or submit a request to proceed in forma

pauperis within 30 days. Failure to take either action will result in dismissal of this matter without further notice.

3. The Clerk of the Court is directed to send the plaintiff the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").
4. The Clerk of the Court is directed to set a pro se case management deadline for May 12, 2017 with the following docket text: Check for motion to proceed in forma pauperis or payment.

Dated this 12th day of April, 2017.

BY THE COURT:



John M. Gerrard
United States District Judge