

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

ERIC ROBINSON,

Plaintiff,

vs.

STATE OF NEBRASKA,

Defendant.

8:17CV204

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. Plaintiff filed a Complaint for Writ of Mandamus ([Filing No. 1](#)) on June 9, 2017. However, Plaintiff failed to include the \$400.00 filing and administrative fees. Plaintiff has the choice of either submitting the \$400.00 filing and administrative fees to the clerk's office or submitting a request to proceed in forma pauperis.¹ Failure to take either action within 30 days will result in the court dismissing this case without further notice to Plaintiff.

IT IS THEREFORE ORDERED that:

1. Plaintiff is directed to submit the \$400.00 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.
2. The Clerk of Court is directed to send to Plaintiff the Form AO240 ("Application to Proceed Without Prepayment of Fees and Affidavit").

¹ Plaintiff states that "the new writ has nothing to do with the civil Michael P. Huerta F.A.A. writ." ([Filing No. 1 at CM/ECF p. 3.](#)) Accordingly, the court opened this matter. Plaintiff cannot rely upon the motion for in forma pauperis that he filed in *Robinson v. Huerta*, Case No. 4:13CV3130 (D. Neb. 2013). He must file a new one for this case.

3. The Clerk of Court is directed to set a pro se case management deadline in this matter with the following text: **July 14, 2017**: Check for MIFP or payment.

Dated this 14th day of June, 2017.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge