

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JUSTIN GARDNER,

Petitioner,

vs.

STATE OF NEBRASKA,

Respondent.

8:17CV255

**MEMORANDUM
AND ORDER**

On January 24, 2018, the court ordered Plaintiff to file an amended habeas petition within 30 days or face dismissal of this action. To date, Plaintiff has not filed an amended complaint or taken any other action in this matter.

IT IS THEREFORE ORDERED that the Petition for Writ of Habeas Corpus ([Filing No. 1](#)) is denied without prejudice. The court will enter judgment by a separate document.

Dated this 1st day of March, 2018.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge