

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

JOHN ARTIS PERRY,

Plaintiff,

vs.

CERTIFIED TRANSMISSION
REBUILDERS INC.,

Defendant.

8:17CV322

**MEMORANDUM
AND ORDER**

This matter is before the court on its own motion. On January 10, 2018, the court ordered Plaintiff to show cause why this case should not be dismissed for his failure to file suit within 90 days of his receipt of a right-to-sue notice. ([Filing No. 8.](#)) The court specifically advised Plaintiff that, in order to comply with the court's order to show cause, he needed to file a copy of any right-to-sue notice he received from the Nebraska Equal Opportunity Commission ("NEOC") and/or Equal Employment Opportunity Commission ("EEOC") showing that he filed within 90 days of receiving the notice or he needed to explain to the court why he did not file within 90 days of receiving a right-to-sue notice.

Plaintiff filed a response on January 19, 2018. ([Filing No. 9.](#)) Plaintiff's response reiterates several of the factual allegations underlying Plaintiff's discrimination claims, but his response fails to allege that he filed suit within 90 days of receiving a right-to-sue notice. Accordingly,

IT IS THEREFORE ORDERED that:

1. Plaintiff's action is dismissed without prejudice for failure to comply with the court's orders.

2. The court will enter judgment by separate written document.

Dated this 6th day of February, 2018.

BY THE COURT:

s/ Richard G. Kopf

Senior United States District Judge