

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEBRASKA

JUSTIN GARDNER,	)	8:17CV338
	)	
Plaintiff,	)	
	)	MEMORANDUM
v.	)	AND ORDER
	)	
STATE OF NEBRASKA,	)	
	)	
Defendant.	)	
_____	)	

On January 25, 2018, the court extended the deadline for Plaintiff to pay an initial partial filing fee until February 26, 2018, and advised Plaintiff that in the absence of payment or a showing of good cause, the case would be dismissed without prejudice and without further notice. To date, Plaintiff has not paid the initial partial filing fee or made a good cause showing.

Accordingly,

IT IS ORDERED that this matter is dismissed without prejudice because Plaintiff failed to prosecute it diligently and failed to comply with this court's orders. The court will enter judgment by a separate document.

DATED this 5<sup>th</sup> day of March, 2018.

BY THE COURT:

*s/ Richard G. Kopf*  
Senior United States District Judge