

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Dylan A. Thomas v. Lincoln Regional Center, Dr. Shawn Curtis,
Jeffery Austile, and Kaitlyn Liss

Thomas · No. 8:26CV26 · Decided February 2, 2026

SUMMARY

The United States District Court for the District of Nebraska grants Dylan A. Thomas leave to proceed in forma pauperis and directs that his complaint be filed without payment of fees. The court explains that it will conduct an initial review under 28 U.S.C. § 1915(e)(2) and notes that the plaintiff is not a prisoner under the Prison Litigation Reform Act because he is committed to a state mental institution.

CASE DETAILS

COURT	United States District Court for the District of Nebraska
WRITING FOR THE COURT	J. M. Gerrard
JURISDICTION	United States District Court for the District of Nebraska
DECIDED	February 2, 2026
DOCKET	8:26CV26
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to proceed in forma pauperis before the court conducted its initial review of the complaint.
PRECEDENTIAL VALUE	unpublished

TOPICS

- civil procedure
- civil rights
- prisoners rights

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner litigation

QUESTIONS PRESENTED

- Whether Plaintiff qualified financially for leave to proceed in forma pauperis.
- Whether Plaintiff's commitment to a state mental institution made him a prisoner subject to the Prison Litigation Reform Act.

HOLDINGS

1. Plaintiff was financially eligible to proceed in forma pauperis, so the court granted leave and ordered that the complaint be filed without payment of fees.
2. A person committed to a state mental institution pursuant to a mental-health commitment is not a prisoner within the meaning of the Prison Litigation Reform Act.

FACTUAL BACKGROUND

Thomas filed a complaint while committed to the Lincoln Regional Center pursuant to a state mental-health commitment. He was therefore treated as a non-prisoner under the Prison Litigation Reform Act because the statutory definition of prisoner does not include a person involuntarily committed for mental-health reasons. The court reviewed his financial information and found him eligible to proceed in forma pauperis.

PROCEDURAL HISTORY

Dylan A. Thomas filed a civil-rights complaint and a motion for leave to proceed in forma pauperis. The court found that he was financially eligible, granted leave to proceed without prepaying fees, directed that the complaint be filed without payment, and advised that the complaint would undergo initial review under 28 U.S.C. § 1915(e)(2).

DISPOSITION

other

CASES CITED

- Reed v. Clarke, No. 4:04CV3168, 2005 WL 1075092, at *1 n.1 (D. Neb. May 5, 2005)
- Kolocotronis v. Morgan, 247 F.3d 726, 728 (8th Cir. 2001)