

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Joseph Mark v. James Masteller, et al.

No. 8:25CV745 · No. 8:25CV745 · Decided January 20, 2026

SUMMARY

The United States District Court for the District of Nebraska grants Joseph Mark’s motion to proceed in forma pauperis in his prisoner civil action. The order requires payment of a \$4.62 initial partial filing fee and monthly installments under 28 U.S.C. § 1915(b), and directs the Clerk to establish a payment deadline and conduct subsequent screening of the claims.

CASE DETAILS

COURT	United States District Court for the District of Nebraska
WRITING FOR THE COURT	John M. Gerrard
JURISDICTION	United States District Court for the District of Nebraska
DECIDED	January 20, 2026
DOCKET	8:25CV745
DISPOSITION	other
PROCEDURAL POSTURE	Prisoner civil rights action; initial review of IFP motion and assessment of filing fees under 28 U.S.C. § 1915.
PRECEDENTIAL VALUE	unpublished

TOPICS

- civil procedure
- prisoners rights
- civil rights

PRACTICE AREAS

- civil procedure
- prisoners' rights

QUESTIONS PRESENTED

- Whether plaintiff is entitled to proceed in forma pauperis
- What initial partial filing fee must be paid under 28 U.S.C. § 1915(b)(1)
- Whether the Court should grant IFP and set fee payment schedule

HOLDINGS

1. Plaintiff's motion for leave to proceed IFP is granted.
2. Plaintiff must pay an initial partial filing fee of \$4.62 within 30 days.

KEY QUOTATIONS

"The Prison Litigation Reform Act 'makes prisoners responsible for their filing fees the moment the prisoner brings a civil action or files an appeal.'"

FACTUAL BACKGROUND

Plaintiff Joseph Mark, a prisoner, filed a civil rights action against multiple defendants including state judges, a county attorney, the Nebraska Attorney General, and prison officials. He filed a motion for leave to proceed in forma pauperis. The Court reviewed his prison trust account information to assess filing fees.

PROCEDURAL HISTORY

Plaintiff Joseph Mark, a prisoner, filed a complaint and a motion for leave to proceed in forma pauperis (IFP). The Court granted IFP status, assessed an initial partial filing fee, and set a schedule for fee payments.

DISPOSITION

other

CASES CITED

- In re Tyler, 110 F.3d 528 (8th Cir. 1997)
- Jackson v. N.P. Dodge Realty Co., 173 F. Supp. 2d 951 (D. Neb. 2001)