

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHRISTOPHER DECKER,

Plaintiff,

V.

SCOTT FRAKES, MARIO PEART,
RELIGIOUS STUDIES COMMITTEE
MEMBERS, and JEFF MILLER,

Defendants.

4:15CV3113

MEMORANDUM AND ORDER

This matter is before the Court on its own motion. On February 3, 2016, the court found that Plaintiff's equal protection and retaliation claims against Defendant Jeff Miller could proceed to service of process. (Filing No. [17](#).) All other claims against the other named defendants were dismissed without prejudice to reassertion in an amended complaint. (*Id.*)

Plaintiff filed an Amended Complaint on March 21, 2016. (Filing No. [25](#).) However, before doing so, Plaintiff did not seek leave to file an amended pleading. Therefore, Plaintiff's submission of the Amended Complaint was improper and the Amended Complaint will be stricken. This ruling does not, however, prevent Plaintiff from filing a proper motion to amend in accordance with the Local Rules of this court. See [NECivR 15.1](#).

IT IS ORDERED:

1. The clerk of court is directed to strike the Amended Complaint (Filing No. [25](#)) filed in this matter.

2. Plaintiff's initial Complaint (Filing No. [1](#)) remains the operative complaint in this case.
3. Plaintiff's Motion for Miscellaneous Relief (Filing No. [26](#)) is denied as moot.

DATED this 7th day of April, 2016.

BY THE COURT:

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