Decker v. Frakes et al Doc. 46

## IN THE UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

| CHRISTOPHER DECKER,  | )                                |
|--|----------------------------------|
| Plaintiff,   | ) 4:15CV3113                     |
| V.   | )<br>)                           |
| SCOTT FRAKES, MARIO PEART, RELIGIOUS STUDIES COMMITTEE MEMBERS, and JEFF MILLER, | ) MEMORANDUM<br>) AND ORDER<br>) |
| Defendants.  | )<br>)<br>)                      |

On August 2, 2016, the court directed Plaintiff to submit the names of the Defendants who are collectively referred to in his Complaint as "Religious Studies Committee Members." (Filing No. 39.) Plaintiff complied with this request. (Filing No. 43.) Plaintiff also filed an amended complaint. However, the amended complaint does not specifically refer to the committee members by name or specify how each individual committee member was involved in the alleged wrongdoing. (Filing No. 44) Rather, they are still collectively referred to throughout the amended complaint as "Religious Studies Committee Members."

## IT IS THEREFORE ORDERED that:

- 1. Plaintiff shall file a second amended complaint within thirty days, which identifies the Religious Studies Committee Members by name and explains each individual member's participation in the alleged wrongdoing.
- 2. The second amended complaint shall supersede the original Complaint and amended complaint and be the operative pleading in this action.

3. The clerk of court is directed to set the following pro se case management deadline: October 20, 2016, check for amended complaint and order service or process.

DATED this 21st day of September, 2016.

BY THE COURT:

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