

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

CHRISTOPHER DECKER,)	
)	
Plaintiff,)	4:15CV3113
)	
V.)	
)	
SCOTT FRAKES, et al.,)	MEMORANDUM
)	AND ORDER
Defendants.)	

On August 2, 2016, the court found that several of Plaintiff’s claims could proceed to service of process. (Filing No. [39](#).) However, because Plaintiff collectively referred to certain defendants in his Complaint as “Religious Studies Committee Members,” the court directed Plaintiff to file an amended complaint identifying the members of the committee by name. (Filing No. [46](#).) Plaintiff complied with this request by filing an Amended Complaint naming Tarn Davis, Marilyn Asher, Ed Bevan, Ed Price, Tim Kramer, Randy Bartfelt, J. Epp, Diane Lytle, Chuck Glenn, and David Graumann as additional Defendants. (Filing No. [53](#).) These individuals are sued in their official and individual capacities.

Having reviewed the Amended Complaint, and for the reasons previously stated,

IT IS ORDERED that:

1. Plaintiff’s RLUIPA, First Amendment, and equal-protection claims, as set forth in the Amended Complaint (Filing No. [53](#)), may proceed to service of process against Defendants Tarn Davis, Marilyn Asher, Ed Bevan, Ed Price, Tim Kramer, Randy Bartfelt, J. Epp, Diane Lytle, Chuck Glenn, and David Graumann in their official and individual capacities.

2. The clerk of court shall send Plaintiff ten copies of the Amended Complaint (Filing No. [53](#)), ten copies of this Memorandum and Order, twenty summons forms, and twenty USM 285 Forms for service on Defendants in their individual and official capacities.
3. Federal Rule of Civil Procedure 4(m) requires service of a complaint upon a defendant within 90 days of filing the complaint. However, Plaintiff is granted, on the court's own motion, an extension of time until 120 days from the date of this order to complete service of process.
4. If requested to do so in this matter, the United States Marshal will serve all process in this case without prepayment of fees. In making such a request, Plaintiff must complete the USM 285 forms to be submitted to the clerk of the court with the completed summons forms. Without these documents, the United States Marshal will not serve process. Upon receipt of the completed forms, the clerk of the court will sign the summons forms and forward them to the United States Marshal for service on Defendants, with copies of the Amended Complaint.
2. The clerk of court is directed to set the following pro se case management deadline: February 15, 2017, check for service of process.

DATED this 18th day of October, 2016.

BY THE COURT:

s/ Richard G. Kopf
Senior United States District Judge