

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Derrick DeCoste v. Medical Staff at CCDC, et al.

Case No. 2:24-cv-01639-APG-NJK (D. Nev. Dec. 23, 2025) · No. 2:24-cv-01639-APG-NJK · Decided December 23, 2025

SUMMARY

The court addresses Plaintiff Derrick DeCoste’s motion seeking the full names and badge numbers of unnamed or partially identified defendants so that service can be completed. Rather than immediately authorizing a subpoena, the court orders counsel for the Las Vegas Metropolitan Police Department or Clark County Detention Center to respond by January 9, 2026, and permits counsel to accept service or provide the defendants’ last known contact information under seal.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Nancy J. Koppe
JURISDICTION	United States District Court for the District of Nevada
DECIDED	December 23, 2025
DOCKET	2:24-cv-01639-APG-NJK
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for an order requiring law-enforcement or detention-center personnel to provide the full names and badge numbers of unidentified defendants so that the United States Marshals Service could effect service. The court construed the motion as a request to authorize issuance of a subpoena.
PRECEDENTIAL VALUE	unpublished

TOPICS

- service of process
- discovery dispute
- prisoners rights
- section 1983
- civil rights

PRACTICE AREAS

- civil procedure
- civil rights
- prisoner civil rights

QUESTIONS PRESENTED

1. Whether Plaintiff's request for the full names and badge numbers of unidentified defendants should be construed as a motion to authorize issuance of a subpoena.
2. Whether counsel for the Las Vegas Metropolitan Police Department or Clark County Detention Center should be required to respond to the subpoena request or provide an alternative means for effectuating service.

HOLDINGS

1. A pro se plaintiff's request for identifying information needed to effect service may be construed as a motion to authorize issuance of a subpoena.
2. Counsel for the Las Vegas Metropolitan Police Department or Clark County Detention Center was ordered to respond to the subpoena request by January 9, 2026; counsel could alternatively accept service for some or all defendants or file their last known contact information under seal.

KEY QUOTATIONS

"The Court ORDERS counsel for Las Vegas Metropolitan Police Department/Clark County Detention Center to respond, by January 9, 2026, to the pending motion for issuance of a subpoena." (at 1)

FACTUAL BACKGROUND

Summonses for Deputy Jensen, FTO Brooks, Sheriff, Angel K., Nurse, and K. Pooley, Nurse, were returned unexecuted. An agent authorized to accept service for Clark County Detention Center employees rejected service on the ground that the defendants' full names and badge numbers were required. Plaintiff sought identifying information from the Las Vegas Metropolitan Police Department or related detention-center personnel to enable service.

PROCEDURAL HISTORY

Summonses for four defendants were returned unexecuted because an agent authorized to accept service allegedly rejected service for lack of the defendants' full names and badge numbers. Plaintiff then moved for an order directing the Las Vegas Metropolitan Police Department or related detention-center personnel to provide identifying information. The court ordered counsel to respond to the subpoena request by January 9, 2026, while permitting counsel instead to accept service or file the defendants' last known contact information under seal.

DISPOSITION

other

CASES CITED

- Smith v. Saribay, 2021 WL 1824292, at *2 (D. Nev. Apr. 29, 2021)
- Stewart v. Hawkins, 2025 U.S. Dist. LEXIS 100811, at *1-2 (D. Nev. May 28, 2025)
- Picozzi v. Clark Cnty. Det. Ctr., 2016 U.S. Dist. LEXIS 152607, at *6 (D. Nev. Nov. 2, 2016)
- Smith v. Saribay, Case No. 2:20-cv-00060-GMN-NJK, Docket No. 26 (D. Nev. Apr. 16, 2021)

- *Blaisdell v. Frappiea*, 729 F.3d 1237, 1241 (9th Cir. 2013)

OPINION

1 2 3 UNITED STATES DISTRICT COURT 4 DISTRICT OF NEVADA 5 6 Derrick DeCoste, Case No. 2:24-cv-01639-APG-NJK 7 Plaintiff(s), Order 8 v. [Docket No. 12] 9 Medical Staff at CCDC, et al., 10 Defendant(s). 11 Summonses were returned unexecuted as to (1) Deputy Jensen, (2) FTO Brooks, Sheriff, 12 (3) Angel K., Nurse, and (4) K. Pooley, Nurse. See Docket No. 10. It appears that an agent 13 authorized to accept service on behalf of Clark County Detention Center employees rejected 14 service by the United States Marshals Service for these individuals on the grounds that a full name 15 and badge number was required.

See *id.* It is unclear what inquiry (if any) was undertaken by the 16 agent authorized to accept service to determine the true identity of the named defendants so that 17 service could be effectuated. But see, e.g., *Smith v. Saribay*, 2021 WL 1824292, at *2 (D. Nev. 18 Apr. 29, 2021).¹ 19 Pending before the Court now is Plaintiff's motion to order the Las Vegas Metropolitan 20 Police Department² to provide the full names and badge numbers for these defendants so that 21 service may be effectuated, Docket No. 12, which the Court construes as a motion to authorize 22 issuance of a subpoena for this information, see *Stewart v. Hawkins*, 2025 U.S. Dist.

Lexis 100811, 23 24 25 1 It is also unclear whether each of the particular defendants would be employees of the County or of Well Path. 26 2 The motion references the Sheriff's Department and Clark County Detention Center, but 27 the Court takes notice of representations made elsewhere that service on Clark County Detention Center employees may be processed by the Las Vegas Metropolitan Police Department.

E.g., 28 *Smith v. Saribay*, Case No. 2:20-cv-00060-GMN-NJK, Docket No. 26 (D. Nev. Apr. 16, 2021). 1] at *1-2 (D. Nev. May 28, 2025).² While such a subpoena is potentially available to Plaintiff, 2] parties have a duty to avoid unnecessary service expenses, Fed. R. Civ. P. 4(d)(1), and courts 3] generally refrain from utilizing the subpoena process for similar types of information when less 4] intrusive means exist, see, e.g., *Picozzi v. Clark Cnty.*

Det. Ctr., 2016 U.S. Dist. Lexis 152607, at 5] *6 (D. Nev. Nov. 2, 2016) (ordering counsel for CCDC to investigate and file full names, badge 6] numbers, last known addresses, and telephone numbers under seal). 7 The Court ORDERS counsel for Las Vegas Metropolitan Police Department/Clark County 8] Detention Center to respond, by January 9, 2026, to the pending motion for issuance of a subpoena.

9] In lieu of responding to the motion on its substance, counsel may instead accept service on behalf 10] of some or all of the subject defendants or may file their last known contact information under 11] seal. The Clerk's Office is INSTRUCTED to send a copy of this order to: 12 Las Vegas Metropolitan Police Department 400 S. Martin Luther King Blvd., Bldg.

B 13 Las Vegas, NV 89106 14 IT IS SO ORDERED. 15 Dated: December 23, 2025 Nancy J. Koppeé, 17 United States Magistrate Judge 18 19 20 21 22 23 24 25 26 27), ————— >
The Court liberally construes the filings of pro se litigants, particularly those who are 28] prisoners bringing civil rights claims. *Blaisdell v. Frappiea*, 729 F.3d 1237, 1241 (9th Cir. 2013).

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