

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

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).