

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEBRASKA

Lightfeather v. B'ani Jesuium Jewish Temple of Lincoln, NE, et al.

Lightfeather · No. 8:25-cv-00462 · Decided February 13, 2026

SUMMARY

The United States District Court for the District of Nebraska dismissed without prejudice Austin Edward Lightfeather’s prisoner civil-rights complaint against a Jewish temple, temple-affiliated individuals, and Nebraska correctional employees. The court concluded that it lacked subject-matter jurisdiction over claims against the private temple defendants and that the allegations against the correctional defendants failed to state constitutional claims. The court also denied the plaintiff’s discovery request and entered a separate judgment.

CASE DETAILS

COURT	United States District Court for the District of Nebraska
WRITING FOR THE COURT	John M. Gerrard
JURISDICTION	United States District Court for the District of Nebraska
DECIDED	February 13, 2026
DOCKET	8:25-cv-00462
DISPOSITION	dismissed
PROCEDURAL POSTURE	Initial screening of an incarcerated pro se plaintiff's complaint under 28 U.S.C. §§ 1915(e)(2) and 1915A(b).
STANDARD OF REVIEW	Mandatory initial review under 28 U.S.C. §§ 1915(e)(2) and 1915A(b); the court determines whether the complaint is frivolous or malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from an immune defendant. Pro se allegations are liberally construed, but must still allege facts sufficient to state a legally cognizable claim.
PRECEDENTIAL VALUE	unpublished district court memorandum and order
PARTIES	Austin Edward Lightfeather v. B'ani Jesuium Jewish Temple of Lincoln, NE, South Street Temple leaders of Judaism, rabbis, and members, Nebraska Department of Correctional Services religious leaders of coordination, Mr. Rucker, Mr. Rubin Colburn, Jane Does, John Does

TOPICS

subject matter jurisdiction

section 1983

prisoners rights

civil rights

pleadings

PRACTICE AREAS

civil procedure

prisoner civil rights

constitutional law

subject matter jurisdiction

QUESTIONS PRESENTED

1. Whether the district court had federal-question or diversity subject matter jurisdiction over claims against the private Jewish temple, its leaders, rabbis, and members.
2. Whether the private temple-related defendants could be treated as state actors subject to liability under 42 U.S.C. § 1983.
3. Whether Plaintiff stated a constitutional claim against Rucker based on alleged false statements, restrictions on temple communications, and failure to assist him in obtaining a Star of David necklace.
4. Whether Plaintiff stated an equal-protection or other constitutional discrimination claim based on alleged targeting for being Jewish or being labeled a sex offender.
5. Whether the court could order employment termination or grant relief involving the Jewish Prisoners Coalition, which was not a party.
6. Whether Plaintiff's discovery request should be denied after dismissal of the claims.

HOLDINGS

1. The court lacked federal-question jurisdiction because the temple and its leaders, rabbis, and members were private actors not shown to be state actors, and lacked diversity jurisdiction because Plaintiff and the temple were both Nebraska citizens.
2. The private temple, its leaders, rabbis, and members could not be sued under § 1983 on the allegations pleaded.
3. Plaintiff failed to state a constitutional claim against Rucker.
4. Plaintiff failed to state a constitutional violation based on Colburn's statements because he alleged no resulting harm.
5. Plaintiff failed to state an equal-protection or related constitutional discrimination claim because he did not identify the specific conduct of each defendant, allege intentional or purposeful unequal treatment, or adequately allege injury.
6. The court denied Plaintiff's request to order the termination of Rucker's and Colburn's employment.
7. The court could not order relief requiring conduct by or affecting the Jewish Prisoners Coalition because the Coalition was not a party to the lawsuit.
8. Plaintiff's discovery request was denied because the underlying claims were dismissed.

KEY QUOTATIONS

“A pro se complaint must be liberally construed, and pro se litigants are held to a lesser pleading standard than other parties.” (Section I)

“Only a state actor can face § 1983 liability.” (Section III.A.1.a)

“The court lacks subject matter jurisdiction to consider Plaintiff’s claims against B’ani Jesuium Jewish Temple of Lincoln, NE, the South Street Temple leaders of Judaism, and their rabbis and members.” (Section IV)

FACTUAL BACKGROUND

Plaintiff was incarcerated at the Reception and Treatment Center of the Nebraska Department of Correctional Services. He alleged that Rucker told a Jewish temple that Plaintiff was a sex offender and not Jewish, after which the temple returned his letters and restricted his communications and visits. Plaintiff also alleged that Rucker failed to help him obtain a Star of David necklace, Colburn called him a fake Jew, and correctional personnel discriminated against him based on his Jewish identity. He sought damages, employment termination orders, recognition and monitoring by the Jewish Prisoners Coalition, and other relief concerning his religious practices and funeral wishes.

PROCEDURAL HISTORY

Plaintiff filed his complaint on July 18, 2025, alleging religious discrimination, false statements, denial of religious assistance, and related constitutional violations. The district court conducted mandatory initial review, dismissed the claims against the temple-related defendants for lack of subject matter jurisdiction, dismissed the claims against the correctional religious coordinators and Doe defendants for failure to state a claim, denied the discovery request, and dismissed the action without prejudice.

DISPOSITION

dismissed

CASES CITED

- Topchian v. JPMorgan Chase Bank, N.A., 760 F.3d 843, 848-49 (8th Cir. 2014)
- Hopkins v. Saunders, 199 F.3d 968, 973 (8th Cir. 1999)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 569-70 (2007)
- Ashcroft v. Iqbal, 556 U.S. 662, 678 (2009)
- Stone v. Harry, 364 F.3d 912, 915 (8th Cir. 2004)
- Martin v. Aubuchon, 623 F.2d 1282, 1286 (8th Cir. 1980)
- Northwest South Dakota Prod. Credit Ass’n v. Smith, 784 F.2d 323, 325 (8th Cir. 1986)
- Ryan v. Schneider Nat’l Carriers, Inc., 263 F.3d 816, 819 (8th Cir. 2001)
- Doe v. N. Homes, Inc., 11 F.4th 633, 637 (8th Cir. 2021)
- Manhattan Cmty. Access Corp. v. Halleck, 587 U.S. 802, 809 (2019)
- Parkhurst v. Tabor, 569 F.3d 861, 866 (8th Cir. 2009)

- Linda R.S. v. Richard D., 410 U.S. 614, 619 (1973)
- Phillips v. Norris, 320 F.3d 844, 847 (8th Cir. 2003)
- Patel v. U.S. Bureau of Prisons, 515 F.3d 807, 817 (8th Cir. 2008)
- Lewis v. Jacks, 486 F.3d 1025, 1028 (8th Cir. 2007)
- Bell v. Martinez, No. 5:15-CV-05003, 2017 WL 3017716, at *4 (W.D. Ark. July 17, 2017)
- Lightfeather v. US Chief Justice Cavanaugh Supreme Court Judge, et al., 8:25CV434 (D. Neb.)

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