

UNITED STATES DISTRICT COURT FOR THE NORTHERN DISTRICT OF
INDIANA, SOUTH BEND DIVISION

Timothy Marcus Mayberry v. Ron Neal, et al.

Mayberry · No. 3:24-CV-187-HAB-ALT · Decided March 9, 2026

SUMMARY

The United States District Court for the Northern District of Indiana denied Timothy Marcus Mayberry’s motion for leave to file a third amended complaint, citing undue delay, prejudice, the advanced stage of discovery, and prior amendments. The court also denied Mayberry’s motion for a preliminary injunction concerning religiously prepared food and Ramadan nutrition, as well as his motion to take notice as unnecessary. The opinion addresses claims involving prison conditions, religious exercise, retaliation, and related procedural matters.

CASE DETAILS

COURT	United States District Court for the Northern District of Indiana, South Bend Division
WRITING FOR THE COURT	Holly A. Brady
JURISDICTION	United States District Court for the Northern District of Indiana, South Bend Division
DECIDED	March 9, 2026
DOCKET	3:24-CV-187-HAB-ALT
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiff moved for leave to file a third amended complaint, a preliminary injunction, and an order taking notice of alleged misrepresentations in prior filings. The district court denied all three motions.
STANDARD OF REVIEW	Leave to amend under Federal Rule of Civil Procedure 15(a)(2) is committed to the court’s discretion and may be denied for undue delay, bad faith, repeated failure to cure deficiencies, undue prejudice, or futility. Preliminary injunctive relief must be related to the claims asserted in the complaint.
PRECEDENTIAL VALUE	unpublished district court opinion; limited precedential value

TOPICS

motion to amend

injunctions

civil procedure

prisoners rights

establishment clause

PRACTICE AREAS

civil procedure

prisoner civil rights

religious liberty

QUESTIONS PRESENTED

1. Whether Mayberry should receive leave under Federal Rule of Civil Procedure 15(a)(2) to file a third amended complaint adding retaliation, Ramadan nutrition, and Indiana Religious Freedom and Restoration Act claims.
2. Whether Mayberry was entitled to a preliminary injunction concerning food preparation and allegedly inadequate Ramadan nutrition.
3. Whether the court should take notice of the Warden's purported misrepresentations in prior filings.

HOLDINGS

1. Leave to amend was properly denied because the proposed amendment came at an advanced stage of the case after repeated amendments and substantial discovery, and allowing it would unduly prejudice the defendants and delay resolution.
2. The motion for a preliminary injunction was denied because the requested relief concerning Ramadan nutrition was unrelated to the claims in the operative complaint, and the remaining request presented no new arguments or evidence warranting a different result from the court's prior denial.
3. The motion was denied as unnecessary because it did not appear to request a court order or other judicial action, and the court was already generally aware of the filings in the case.

KEY QUOTATIONS

“A district court should not issue an injunction when the injunction in question is not of the same character, and deals with a matter lying wholly outside the issues in the suit.”

“Thus, a party moving for a preliminary injunction must necessarily establish a relationship between the injury claimed in the party’s motion and the conduct asserted in the complaint.”

FACTUAL BACKGROUND

Mayberry, a prisoner, alleged that prison officials and Aramark served rotten food, failed to provide safe drinking water, and failed to provide religiously adequate meals and holiday accommodations. He sought to add claims concerning retaliatory denial of filtered water, inadequate nutrition during Ramadan, and the Indiana Religious Freedom and Restoration Act. The proposed amendment came after two prior amendments, substantial discovery, and the court's prior denial of a motion to rescreen the second amended complaint.

PROCEDURAL HISTORY

Mayberry, a prisoner proceeding without counsel, was already proceeding on Eighth Amendment, Establishment Clause, and RLUIPA claims after two prior amendments. After discovery had been ongoing since August 2024

and was nearing completion, he sought to add retaliation, nutrition-related, and Indiana Religious Freedom Restoration Act claims. The court denied leave to amend and then denied related requests for preliminary injunctive relief and notice.

DISPOSITION

other

CASES CITED

- Airborne Beepers & Video, Inc. v. AT&T Mobility LLC, 499 F.3d 663, 666 (7th Cir. 2007)
- Pavey v. Conley, 544 F.3d 739, 742 (7th Cir. 2008)
- Kaimowitz v. Orlando, Fla., 122 F.3d 41, 43 (11th Cir. 1997)
- Devose v. Herrington, 42 F.3d 470, 471 (8th Cir. 1994)

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