

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Niyaa Buncch, et al. v. Southern Nevada Regional Housing Authority,
et al.

Buncch · No. 2:25-cv-00660-GMN-BNW · Decided January 9, 2026

SUMMARY

The United States District Court for the District of Nevada grants Plaintiffs’ request to have the U.S. Marshals Service re-serve the Office of the Ex-Officio Constable. The Court directs the Clerk to issue and transmit the summons and related documents, requires Plaintiff to submit Form USM-285 by February 2, 2026, and directs the Marshal to attempt service under Federal Rule of Civil Procedure 4(c)(3).

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Brenda Weksler
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 9, 2026
DOCKET	2:25-cv-00660-GMN-BNW
DISPOSITION	other
PROCEDURAL POSTURE	Plaintiffs proceeding in forma pauperis moved for an order directing the United States Marshals Service to re-serve Defendant Office of the Ex-Officio Constable at an updated address.
PRECEDENTIAL VALUE	unpublished and nonprecedential district court order
PARTIES	Niyaa Buncch, et al. v. Southern Nevada Regional Housing Authority, et al.

TOPICS

- service of process
- civil procedure

PRACTICE AREAS

- civil procedure
- civil rights

QUESTIONS PRESENTED

1. Whether a plaintiff proceeding in forma pauperis is entitled to the Court's assistance in issuing and effecting service, including re-service at an updated address.

HOLDINGS

1. A plaintiff proceeding in forma pauperis is entitled to the Court's aid in serving process, including service by the U.S. Marshal.

KEY QUOTATIONS

“a party proceeding in forma pauperis is entitled to have the summons and complaint served by the U.S. Marshal.” (at 1)

FACTUAL BACKGROUND

Plaintiffs were proceeding in forma pauperis. The Court had previously directed the U.S. Marshals Service to serve the Office of the Ex-Officio Constable, but Plaintiff later obtained and confirmed an updated address for that defendant. Plaintiff therefore requested that the Court direct the Marshal to re-serve the defendant.

PROCEDURAL HISTORY

The Court had previously directed the United States Marshals Service to serve the Office of the Ex-Officio Constable. After obtaining and confirming an updated address, Plaintiff requested re-service. The Court granted the request and directed the Clerk and the U.S. Marshal to issue and attempt service.

DISPOSITION

other

CASES CITED

- Puett v. Blandford, 912 F.2d 270, 273 (9th Cir. 1990)

OPINION

1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 * * * 4 Niyaa Buncch, et al., Case No. 2:25-cv-00660-GMN-BNW 5 Plaintiffs, 6 ORDER v. 7 Southern Nevada Regional Housing Authority, 8 et al., 9 Defendants. 10 11 Though this Court previously directed the U.S. Marshals Service to serve Defendant 12 Office of the Ex-Officio Constable, Plaintiff states that she has recently obtained an updated 13 address and confirmed that said address is correct.

ECF No. 151. Thus, Plaintiffs seeks an order 14 from this Court directing the U.S. Marshals Service to re-serve Defendant Office of the Ex- 15 Officio Constable. Id. 16 When a party proceeds in forma pauperis the court “shall issue and serve all process.” 28 17 U.S.C. § 1915(d); Puett v. Blandford, 912 F.2d 270, 273 (9th Cir. 1990) (“a party proceeding in 18 forma pauperis is

entitled to have the summons and complaint served by the U.S. Marshal.”).¹ 19 Here, Plaintiff proceeds in forma pauperis and is therefore entitled to the Court’s aid.

See ECF 20 No. 20. Accordingly, this Court will grant her request. 21 IT IS THEREFORE ORDERED that Plaintiff’s motion requesting service (ECF No. 151) 22 is GRANTED. 23 IT IS FURTHER ORDERED that the Clerk of Court is kindly directed to: (1) issue a 24 summons for Defendant Office of the Ex-Officio Constable; (2) deliver the summons, one copy of 25 26 1 Section 1915(d) dovetails with Rule 4, which provides that upon the request of a plaintiff 27 authorized to proceed in forma pauperis, the Court “must” order “that service be made by a United States marshal or deputy or by a person specifically appointed by the court.” Fed.

R. Civ. 1 || the operative complaint (ECF No. 78), and a copy of this Order to the U.S. Marshal for service; and 2 || (3) mail Plaintiff one blank copy of Form USM-285. 3 IT IS FURTHER ORDERED that Plaintiff shall have until February 2, 2026, in which to 4 || send the U.S. Marshals Service the required USM-285 form. 5 IT IS FURTHER ORDERED that upon receipt of the USM-285 form, the U.S. Marshal 6 || shall, in accordance with Federal Rule of Civil Procedure 4(c)(3), attempt service on Defendant 7 || Office of the Ex-Officio Constable.

8 9 DATED: January 9, 2026 10 gw Les Are BRENDA WEKSLER □ 11 UNITED STATES MAGISTRATE JUDGE 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28