

has been denied due process.

Raja has not shown, and there does not exist, a basis for recusal. Although the Court can understand that Raja is disappointed that the bulk of his claims have been dismissed, the Court's narrowing of Raja's complaint was in accordance with the Federal Rules of Civil Procedure and the laws governing subject matter jurisdiction. It was not the result of bias or prejudice. Further, contrary to Raja's suggestion, it would have been entirely inappropriate for the Court to independently verify Raja's allegations.

Accordingly, the motion for recusal is DENIED. However, if he so desires, Raja may seek to amend his complaint in accordance with Rule 15(a) of the Federal Rules of Civil Procedure.

The Court notes that in its August 16, 2013 memorandum and order (#20), the Court ordered Raja to complete service on the three remaining defendants within 120 days. However, the summonses issued on August 21, 2013 and mailed to the plaintiff with forms and instructions for service by the United States Marshals Service were returned as "unclaimed" to the Clerk on September 17, 2013. The Clerk shall therefore reissue the three summonses and Raja shall have 60 days from the date of this order to complete service. If Raja fails to complete service by February 11, 2014, the action may be dismissed without prejudice pursuant to Rule 4(m) of the Federal Rules of Civil Procedure and Local Rule 4.1.

So ordered.

/s/ Nathaniel M. Gorton
Nathaniel M. Gorton
United States District Judge

Dated: 12/13/13