

United States Court of Appeals
For the Eighth Circuit

No. 12-3294

James Eric Mansfield; Bernie L. Farmer; David Tate

Plaintiffs - Appellants

v.

Missouri Department of Corrections; Doug Worsham, Reverend; George Lombardi; Vicki Myers; Melissa Massman; Jill McGuire; John C. Swisher, Reverend; Mariann Atwell; Brian Jamison; David Rost, Deputy Director; James Cushshon-Bey; Larry Lee-Bey; Janice Webb; George Garner; Joseph Landa; Lou Dorn; Chuck Stanford; Dolores Santha; Steve Long

Defendants - Appellees

Appeal from United States District Court
for the Western District of Missouri - Jefferson City

Submitted: June 5, 2013

Filed: June 10, 2013

[Unpublished]

Before WOLLMAN, BOWMAN, and GRUENDER, Circuit Judges.

PER CURIAM.

Missouri Department of Corrections inmates James Mansfield, Bernie Farmer, and David Tate, all members of the Christian Separatist Church Society, filed this

action claiming that defendants, by denying plaintiffs group worship services, substantially burdened their practice of their religion in violation of the Religious Land Use and Institutionalized Persons Act (RLUIPA), and violated their free-exercise and equal protection rights under the Constitution. The district court¹ granted defendants summary judgment, and plaintiffs appeal. Following careful de novo review, we agree with the district court that plaintiffs' free-exercise claim failed under the factors of Turner v. Safley, 482 U.S. 78 (1987), for essentially the same reasons cited in Murphy v. Mo. Dep't of Corr., 372 F.3d 979, 983-84 (8th Cir. 2004); the equal protection claim failed in part because plaintiffs did not show they were similarly situated to any groups that had been afforded communal worship services; and the RLUIPA claim failed because, assuming for summary judgment purposes that plaintiffs' religious practices had been substantially burdened, defendants had a compelling interest in institutional security, and they provided sufficient evidentiary support for their position that solitary-practitioner status was the least restrictive means by which to alleviate their security concerns.

Accordingly, we affirm the judgment of district court for the reasons provided in the court's order. See 8th Cir. R. 47B.

¹The Honorable Scott O. Wright, United States District Judge for the Western District of Missouri.