

# UNITED STATES DISTRICT COURT

for the  
Southern District of Illinois

_____	)	
_____	)	
_____	)	
_____	)	
Plaintiff(s)	)	Case Number: _____
v.	)	(Clerk's Office will provide for <u>new</u> cases, if you are filing
	)	in an existing case, write your case number)
_____	)	
_____	)	
_____	)	<input type="checkbox"/> ORIGINAL COMPLAINT
_____	)	
Defendant(s)	)	<input type="checkbox"/> AMENDED COMPLAINT

**You are responsible for protecting sensitive information per Federal Rule of Civil Procedure 5.2. This means you should not file things like social security numbers, the year of a person's birth, or financial account information.**

## I. JURISDICTION:

- ☐ I am suing for a violation of federal law under 28 U.S.C. § 1331:
- ☐ 42 U.S.C. § 1983 (state prisoners);
  - ☐ *Bivens v. Six Unknown Named Agents*, 403 U.S. 388 (1971) (federal prisoners);
  - ☐ 28 U.S.C. §§ 1346, 2671-2680 (Federal tort claims act).
- ☐ Other (provide an explanation):

## II. PARTIES:

**Plaintiff(s) (use extra pages if needed):**

Name: \_\_\_\_\_

Address: \_\_\_\_\_

Inmate ID Number: \_\_\_\_\_

**Defendants (use extra pages if needed):**

If you do not know the name of a defendant, assign them a generic name (John Doe 1, John Doe 2, Jane Doe 1). Give any information you have about them here. If you cannot provide identifying information, the Court will not be able to give you steps to try to identify the unknown person, and this party may be dismissed.

For example: Jane Doe 1, the nurse who passes out night-time medication. She is short and has red hair. I saw her at my cell on January 1, 2001.

**Defendant # 1:**

Name: \_\_\_\_\_

Job: \_\_\_\_\_

Address: \_\_\_\_\_

Additional info: \_\_\_\_\_

**Defendant #2:**

Name: \_\_\_\_\_

Job: \_\_\_\_\_

Address: \_\_\_\_\_

Additional info: \_\_\_\_\_

**Defendant #3:**

Name: \_\_\_\_\_

Job: \_\_\_\_\_

Address: \_\_\_\_\_

Additional info: \_\_\_\_\_

### III. PREVIOUS LAWSUITS

- A. Have you begun any other lawsuits in federal court while you were in prison or jail (during either your current or a previous time in prison or jail)?

☐Yes ☐No

- B. Answer the following questions about **ALL** past federal lawsuits. **FAILURE TO FULLY DISCLOSE YOUR LITIGATION HISTORY, INCLUDING "STRIKES," MAY RESULT IN SANCTIONS THAT INCLUDE DISMISSAL OF THIS ACTION.** (Use extra pages if needed)

1. Case name, case number, and Court:
2. What was it about:
3. What happened (was it dismissed, did it go to trial, was it settled):
4. Did you get a "strike" for this case? (You get a strike under 28 U.S.C. § 1915(g) if a case was dismissed for failure to state a claim, or as frivolous or malicious).

#### IV. GRIEVANCE PROCEDURE<sup>1</sup>

- A. Is there a prisoner grievance procedure in the institution? ☐ Yes ☐ No
- B. Did you present the facts relating to your complaint in the prisoner grievance procedure? ☐ Yes ☐ No
- C. Has the grievance been returned from the highest or last level of review? ☐ Yes ☐ No
- D. If your answer is NO, explain why not. Did you do anything other than a grievance to alert prison authorities to the problem?
- E. If you are a **federal inmate**, attach copies of your request for an administrative remedy and any response you received. If you cannot do so, explain why not:

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<sup>1</sup> Individuals in custody must try to exhaust their claims in the grievance process before filing a federal lawsuit. If you do not complete the exhaustion process before you file this lawsuit, your case may later be dismissed. *See e.g.*, 42 U.S.C. § 1997e(a) (no action shall be brought until available administrative remedies are exhausted); 28 U.S.C. § 2675(a) (the administrative process must be fully exhausted before claims may be brought in federal court).

## V. STATEMENT OF CLAIM:

Using the space below describe how your constitutional rights were violated (extra pages are strongly discouraged):

**DO:** Write a short statement of what happened with neat handwriting. Explain who violated your rights, what each defendant personally did, when they did it, where they did it, and why they did it (if you know why).

**DO NOT:** Do not make legal arguments or give citations. Do not include evidence or exhibits. You will have a chance later in the case to give evidence and to make arguments. Do not combine multiple claims that are not related.<sup>2</sup>

This image shows a blank sheet of white paper with horizontal ruling lines. The lines are evenly spaced and extend across the width of the page. There are no margins, text, or other markings on the paper.

<sup>2</sup> The Court is not required to allow you to join multiple claims in a single case. The Federal Rules of Civil Procedure 18-21 control joinder of claims and parties. It is possible if you present many claims or claims that are not related, that the Court will ask you for an amended complaint or it will divide your claims into separate cases.

[illegible]

[illegible]

**VI. REQUEST FOR RELIEF**

State exactly what you want this court to do for you.

**VII. JURY DEMAND** (*check one box below*)

The plaintiff ☐ does ☐ does not request a trial by jury.

**DECLARATION UNDER FEDERAL RULE OF CIVIL PROCEDURE 11**

I certify to the best of my knowledge, information, and belief, that this complaint is in full compliance with Rule 11(a) and 11(b) of the Federal Rules of Civil Procedure. The undersigned also recognizes that failure to comply with Rule 11 may result in sanctions. Additionally, I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct. 28 U.S.C. § 1746.

Signed \_\_\_\_\_  
on: (date)

\_\_\_\_\_  
Signature of Plaintiff

\_\_\_\_\_  
Street Address

\_\_\_\_\_  
Printed Name

\_\_\_\_\_  
City, State, Zip

\_\_\_\_\_  
Prisoner Register Number