

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

Theodore Levin United States Courthouse
231 W. Lafayette, Room 564
Detroit, Michigan 48226

Civil Rights Complaint -- Instructions

- ▶ You may file a complaint in the United States District Court for the Eastern District of Michigan if one or more of the named defendants is located within the Eastern District of Michigan.
- ▶ You must file a separate complaint for each claim, unless all the claims are related to the same incident or issue.
- ▶ Attached is the complaint form needed to initiate a civil rights action in this Court. You must complete the entire complaint form and submit the following items:
 - ▶ an original and one (1) copy of the complaint form and prisoner civil cover sheet;
 - ▶ one (1) copy of the complaint form and any attachments for **each named defendant** you wish to have served by the U.S. Marshal (*in forma pauperis prisoners ONLY*). Any attachments must be firmly attached to the back of each complaint form; and
 - ▶ a complete and accurate list of the names and addresses for **each** named defendant. If you fail to provide the Court with this information, the U.S. Marshal will not be able to serve your complaint.
- ▶ ***Note: If you want the court to return a time-stamped copy to you, you must submit one (1) additional copy of your complaint to the Court.***
- ▶ Your complaint must be:
 - ▶ typed or legibly handwritten and each page must be numbered;
 - ▶ submitted on the attached complaint form. If additional pages are needed, they must be typed or written on 8½ x 11" white paper and securely attached to your complaint; and
 - ▶ signed by each plaintiff and dated on the lines which are located under the statement: "I declare under penalty of perjury that the foregoing is true and correct."
- ▶ Filing Fee:
 - ▶ Please send a cashier's check or money order in the amount of \$150.00 to this Court with the attached complaint form to the address listed on page 2.
 - ▶ If you intend to pay the filing fee of \$150.00 when you file your complaint, you are responsible for completing service on the defendant(s). You must complete two (2)

summonses for each defendant. The summonses must include each defendant's name and full address (street number, street name, and zip code). You must submit your two (2) completed summonses with the complaint to the Clerk's Office. After the court returns the summonses to you, you must serve each defendant with two summonses and a copy of the file-stamped complaint.

**FAILURE TO SERVE THE DEFENDANT(S) WITHIN 120 DAYS FROM
THE DATE THAT YOUR SUMMONSES WAS ISSUED MAY RESULT
IN DISMISSAL OF YOUR CASE.**

- ▶ Your Obligation to Pay the Entire Amount of the Filing Fee Remains in Effect Even If (1) the Court Subsequently Dismisses Your Complaint, or (2) You Voluntarily Dismiss Your Complaint.
- ▶ If you are unable to pay the full filing fee when you file your case, each plaintiff must submit:
 1. A completed "prisoner's application to proceed without prepayment of fees and costs and authorization to withdraw funds from trust fund account;" and
 2. A certified copy of your prisoner account statement for the past six months, obtained from the appropriate official at your institution.
- ▶ The application to proceed without prepayment of the filing fee must be:
 - (a) current (dated within the past thirty (30) days);
 - (b) signed by you in two places (in the box labeled "authorization" and on the signature line directly above the box labeled "authorization");
 - (c) dated;
 - (d) signed by an authorized official where you are currently incarcerated; and
 - (e) accompanied by a computerized statement of your trust fund account for the past six (6) months.
- ▶ Please mail your completed package to:

**Office of the Clerk
United States District Court
Eastern District of Michigan
Theodore Levin United States Courthouse
231 W. Lafayette, Room 564
Detroit, Michigan 48226**

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN**

Theodore Levin United States Courthouse
231 W. Lafayette, Room 564
Detroit, Michigan 48226

Prisoner Civil Rights Complaint for Cases Brought Under 42 U.S.C. § 1983

Plaintiff's Information			
<i>Name</i>			<i>Inmate Number</i>
<i>Place of Confinement</i>			
<i>Street</i>	<i>City</i>	<i>State</i>	<i>Zip Code</i>

Any additional plaintiffs to this action should be listed on a separate 8½ x 11" sheet of paper and securely attached to the back of this complaint. Please provide names, inmate numbers, and addresses for each plaintiff.

Defendant's Information (This information must be current.)		
<i>Name</i>		<i>Position</i>
<i>Street or P. O. Box Number</i>		
<i>City</i>	<i>State</i>	<i>Zip Code</i>

Are you suing this defendant in his/her personal capacity, official capacity, or in both capacities?

- Personal* *Official* *Both*

Any additional defendants to this action should be listed on a separate 8½ x 11" sheet of paper and securely attached to the back of this complaint. Please provide their names, positions, and current addresses, and the capacity (personal or official) in which you are suing the defendants.

I. PREVIOUS LAWSUITS

Have you begun any other lawsuits in state or federal court relating to your imprisonment?

YES NO

If "YES", complete following section; if "NO", proceed to Part II.



Please list all prior civil actions or appeals that you have filed in federal court while you have been incarcerated.¹

1)	Docket Number:
	Name of Court:
	Parties (Caption or Name of Case):
	Disposition:

2)	Docket Number:
	Name of Court:
	Parties (Caption or Name of Case):
	Disposition:

3)	Docket Number:
	Name of Court:
	Parties (Caption or Name of Case):
	Disposition:

Note: Any additional civil actions should be listed on a separate sheet of 8½ x 11" paper.

¹This notification is pursuant to 28 U.S.C. § 1915(g).

II. ADMINISTRATIVE REMEDIES

1. If you are in the custody of the State of Michigan or one of its subdivisions, did you:

- | | | |
|--|------------------------------|-----------------------------|
| File a grievance with the Step 1 Grievance Coordinator? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| Appeal to the Step 2 Grievance Coordinator? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| Appeal to the Step 3 Grievance Coordinator? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| Seek a rehearing? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| Seek State Circuit court review of a misconduct hearing? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

If you did not take one or more of the steps, please explain why:

2. If you are a federal detainee, prisoner, or parolee and if your claim concerns parole, did you appeal to the National Appeals Board of the United States Parole Commission?

YES NO

If not, explain why:

3. If you are a federal detainee, prisoner, or parolee, and if your claim involves something other than parole, did you:

- | | | |
|---|------------------------------|-----------------------------|
| Attempt to resolve your complaint informally? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| File a formal complaint? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| Appeal to the warden? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| Appeal to the Regional Director of the Bureau of Prisons? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |
| Appeal to General Counsel for the Bureau of Prisons? | YES <input type="checkbox"/> | NO <input type="checkbox"/> |

If not, explain why:

