

INSTRUCTIONS FOR COMPLETING CIVIL COMPLAINT

Complaints may be typed or handwritten. If handwritten, the writing must be legible. Use the example below as a guide to complete the Complaint form:

MIED ProSe 1 (Rev 5/16) Complaint for a Civil Case

IN THE UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MICHIGAN

Plaintiff – Your Name

(Write the full name of each plaintiff who is filing this complaint. If the names of all the plaintiffs cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

v.

Defendants are who you are suing. List their name(s) here.

(Write the full name of each defendant who is being sued. If the names of all the defendants cannot fit in the space above, please write "see attached" in the space and attach an additional page with the full list of names.)

Case No.

(to be filled in by the Clerk's Office)

Jury Trial: ☐ Yes ☐ No
(check one)

If your case were to go to trial, check **YES** if you would like your case to be decided by a jury and **NO** if you would like it to be decided by a judge

Complaint for a Civil Case

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I. The Parties to This Complaint

A. The Plaintiff(s)

Provide the information below for each plaintiff named in the complaint. Attach additional pages if needed.

Provide your
contact information
here

Name _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____

B. The Defendant(s)

Provide the information below for each defendant named in the complaint, whether the defendant is an individual, a government agency, an organization, or a corporation. For an individual defendant, include the person's job or title (if known). Attach additional pages if needed.

Defendant No. 1

Provide the
Defendant
Names(s) – Include
their contact
information, if
known.

Name _____
Job or Title
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address
(if known) _____

Defendant No. 2

Name _____
Job or Title
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address
(if known) _____

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Defendant No. 3

Name _____
Job or Title _____
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known) _____

Defendant No. 4

Name _____
Job or Title _____
(if known) _____
Street Address _____
City and County _____
State and Zip Code _____
Telephone Number _____
E-mail Address _____
(if known) _____

II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only two types of cases can be heard in federal court: cases involving a federal question and cases involving diversity of citizenship of the parties. Under 28 U.S.C. § 1331, a case arising under the United States Constitution or federal laws or treaties is a federal question case. Under 28 U.S.C. § 1332, a case in which a citizen of one State sues a citizen of another State or nation and the amount at stake is more than \$75,000 is a diversity of citizenship case. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

What is the basis for federal court jurisdiction? *(check all that apply)*

☐ Federal question

☐ Diversity of citizenship

Cases that involve a constitutional right,
federal law, statute, or treaty

Or

Cases where the U.S. Government, its
agency, or its employee, is a plaintiff or
defendant

Used when the parties being sued live or
do business in different states

In diversity cases, the dollar amount in
dispute must be at least **\$75,000**

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A. If the Basis for Jurisdiction Is a Federal Question

List the specific federal statutes, federal treaties, and/or provisions of the United States Constitution that are at issue in this case.

If you selected **Federal Question**, answer this

B. If the Basis for Jurisdiction Is Diversity of Citizenship

1. The Plaintiff(s)

If you selected **Diversity of Citizenship**, answer (a) or (b)

a. If the plaintiff is an individual
The plaintiff, (name) _____,
is a citizen of the State of (name) _____.

b. If the plaintiff is a corporation
The plaintiff, (name) _____,
is incorporated under the laws of the State of (name) _____,
and has its principal place of business in the
State of (name) _____.

(If more than one plaintiff is named in the complaint, attach an additional page providing the same information for each additional plaintiff.)

2. The Defendant(s)

If you selected **Diversity of Citizenship**, also answer (a) or (b)

a. If the defendant is an individual
The defendant, (name) _____, is a citizen of the
State of (name) _____. Or is a citizen of (foreign
nation) _____.

b. If the defendant is a corporation
The defendant, (name) _____, is incorporated
under the laws of the State of (name) _____, and
has its principal place of business in the State of (name) _____.
Or is incorporated under the laws of
(foreign nation) _____, and has its principal place
of business in (name) _____.

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3. The Amount in Controversy

The amount in controversy—the amount the plaintiff claims the defendant owes or the amount at stake—is more than \$75,000, not counting interest and costs of court, because *(explain)*:

Explain what the dollar amount in dispute is and why it is in dispute

III. Statement of Claim

Write a short and plain statement of the claim. Do not make legal arguments. State as briefly as possible the facts showing that each plaintiff is entitled to the damages or other relief sought. State how each defendant was involved and what each defendant did that caused the plaintiff harm or violated the plaintiff's rights, including the dates and places of that involvement or conduct. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Attach additional pages if needed.

Explain what happened and who did what

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IV. Relief

State briefly and precisely what damages or other relief the plaintiff asks the court to order. Do not make legal arguments. Include any basis for claiming that the wrongs alleged are continuing at the present time. Include the amounts of any actual damages claimed for the acts alleged and the basis for these amounts. Include any punitive or exemplary damages claimed, the amounts, and the reasons you claim you are entitled to actual or punitive money damages.

Explain what you want the judge to do and why

V. Certification and Closing

Under Federal Rule of Civil Procedure 11, by signing below, I certify to the best of my knowledge, information, and belief that this complaint: (1) is not being presented for an improper purpose, such as to harass, cause unnecessary delay, or needlessly increase the cost of litigation; (2) is supported by existing law or by a nonfrivolous argument for extending, modifying, or reversing existing law; (3) the factual contentions have evidentiary support or, if specifically so identified, will likely have evidentiary support after a reasonable opportunity for further investigation or discovery; and (4) the complaint otherwise complies with the requirements of Rule 11.

A. For Parties Without an Attorney

I agree to provide the Clerk's Office with any changes to my address where case-related papers may be served. I understand that my failure to keep a current address on file with the Clerk's Office may result in the dismissal of my case.

Date of signing: _____, 20____.

Signature of Plaintiff _____

Printed Name of Plaintiff _____

Make sure to
date, sign
and **print your**
name in this
section