(PC) Brewer v. Bravo Doc. 8 Att. 1

|         |   | O STATES DISTRICT COURT<br>RN DISTRICT OF CALIFORNIA                                     |  |
|---------|---|--|--|
|         |   | av District of Chen ordan  |  |
| (Nam    | e of Plaintiff)   | (Case Number)  |  |
| vs.     |   | AMENDED COMPLAINT  |  |
|         |   | Civil Rights Act, 42 U.S.C. § 1983   |  |
|         |   |  |  |
|         |   |  |  |
|         |   |  |  |
| (Nar    | mes of all Defendants)  |  |  |
| vious ] | Lawsuits (list all other previous or p  | pending lawsuits on back of this form):  |  |
| A.      | Have you brought any other lawsu  | its while a prisoner? Yes No   |  |
| В.      | If your answer to A is yes, how many?   |  |  |
|         | Describe previous or pending lawsuits in the space below. (If more than one, use back of paper to continue outlining all lawsuits.) |  |  |
|         | 1. Parties to previous lawsuit:   | Ç ,  |  |
|         | -   |  |  |
|         |   |  |  |
|         | Determines  |  |  |
|         | 2. C //CE 1. 1.C  |  |  |
|         | 2. Court (if Federal Court, give na   | ame of District; if State Court, give name of County)                                    |  |
|         | 3. Docket Number  | 4. Assigned Judge  |  |
|         |   |  |  |
|         | 5. Disposition (For example: Was t  | he case dismissed? Was it appealed? Is it still pending?)                                |  |
|         | <ul><li>5. Disposition (For example: Was t</li><li>6. Filing date (approx.)</li></ul>   | he case dismissed? Was it appealed? Is it still pending?)  7. Disposition date (approx.) |  |

| II.     | Exhaustion of Administrative Remedies |  |  |  |
|---------|---------------------------------------|--|--|--|
|         |                                       | A. Is there an inmate appeal or administrative remedy process available at your institution?   |  |  |
|         |                                       | Yes No   |  |  |
|         | B.                                    | Have you filed an appeal or grievance concerning <u>ALL</u> of the facts contained in this complaint?  |  |  |
|         |                                       | Yes No   |  |  |
|         |                                       | If your answer is no, explain why not  |  |  |
|         |                                       |  |  |  |
|         |                                       |  |  |  |
|         |                                       |  |  |  |
|         | C.                                    | Is the process completed?  |  |  |
|         |                                       | Yes If your answer is yes, briefly explain what happened at each level.  |  |  |
|         |                                       |  |  |  |
|         |                                       | No If your answer is no, explain why not.  |  |  |
|         |                                       |  |  |  |
|         |                                       |  |  |  |
|         |                                       |  |  |  |
| NOTIO   | CE:                                   | Pursuant to the Prison Litigation Reform Act of 1995, "[n]o action shall be brought with respect to prison conditions under [42 U.S.C. § 1983], or any other Federal law, by a prisoner confined in any jail, prison, or other correctional facility until such administrative remedies as are available are exhausted." 42 U.S.C. § 1997e(a). If there is an inmate appeal or administrative remedy process available at your institution, you may not file an action under Section 1983, or any other federal law, until you have first completed (exhausted) the process available at your institution. You are required to complete (exhaust) the inmate appeal or administrative remedy process before filing suit, regardless of the relief offered by the process. Booth v. Churner, 532 U.S. 731, 741 (2001); McKinney v. Carey, 311 F.3d 1198, 1999 (9th Cir. 2002). Even if you are seeking only money damages and the inmate appeal or administrative remedy process does not provide money, you must exhaust the process before filing suit. Booth, 532 U.S. at 734. |  |  |
| III. De | efendan                               | nts  |  |  |
|         | secono                                | m A below, place the full name of the defendant in the first blank, his/her official position in the d blank, and his/her place of employment in the third blank. Use item B for the names, positions and of employment of any additional defendants.)   |  |  |
|         | A.                                    | Defendant is employed as   |  |  |
|         |                                       | at   |  |  |

|             | B.                 | Additional defendants   |  |
|-------------|--------------------|---|--|
|             |                    |   |  |
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|             |                    |   |  |
| IV.         | Staton             | agent of Claim  |  |
| IV.         | Statement of Claim |   |  |
|             | includi            | here as briefly as possible the <u>facts</u> of your case. Describe how each defendant is involved, ng dates and places. Do not give any legal arguments or cite any cases or statutes. Attach extra if necessary.) |  |
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|             |                    | <u> </u>  |  |
| V. <b>R</b> | elief.             |   |  |
|             |                    |   |  |
|             | (State) statute    | briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or s.)  |  |
|             |                    |   |  |
| -           |                    |   |  |
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|             |                    |   |  |
|             |                    |   |  |
|             |                    |   |  |
|             |                    |   |  |
| I decl      | are under          | penalty of perjury that the foregoing is true and correct.  |  |
| Date_       |                    | Signature of Plaintiff  |  |
| (revise     | d 2/10/2006        |   |  |