

INSTRUCTIONS FOR FILING COMPLAINT BY PRISONERS  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983  
in the United States District Court for the Southern District of Georgia

This packet contains a complaint form and a form to be used by prisoners who seek to proceed without prepayment of the filing fee. The Clerk will not file your complaint unless it conforms to these instructions and to these forms.

- 1: To start an action in this Court, you must complete and file the attached "***Form to be used by prisoners in a complaint under the civil rights act, 42 U.S.C. § 1983.***" The completed form becomes your complaint. The complaint must be legibly handwritten or typed. Each plaintiff must sign and swear to the complaint.
- 2: You must file the original of the complaint and you should keep a copy for your records.
- 3: Your complaint can be brought in this Court only if one or more of the defendants is located within this district or a substantial part of the events or omissions giving rise to the claim occurred in this district.
- 4: You must file a separate complaint for each claim unless they are related to the same incident or issue.
- 5: You must state the facts which support your claim. The complaint should not contain legal arguments or citations.
- 6: Under the Prison Litigation Reform Act (enacted April 26, 1996) Prisoners seeking to bring a civil action shall be required to pay a filing fee of \$400.00. Prisoners unable to prepay the filing fee may apply to pay the fee in installments by filing an "Application to proceed without prepayment of fees." A copy of this application form is included in this packet. **You must either submit the \$400.00 filing fee or the application to proceed without repayment of fees at the time you file your complaint.**
- 7: If you seek to pay your fee in installments, the court will supply you with appropriate forms for (1) furnishing a certified copy of your prison trust fund account statement for the six-month period immediately preceding the filing of your complaint and (2) consenting to the collection of monies from your trust fund account in accordance with the provisions of the Prison Litigation Reform Act. Upon receipt of these forms, the Court will assess an initial partial filing fee. After payment of the initial partial filing fee, the agency having custody over you will be ordered to set aside 20 percent of all deposits to your trust fund account.

- 8: *The filing fee is not refundable, regardless of the outcome, and deductions from your prison account will continue until the total fee is collected, even if your case is dismissed at the outset.*
- 9: If a judgment is later entered against you for costs, you will be required to pay those costs in the same manner as provided for payment of the filing fee.
- 10: A prisoner who has had three or more civil actions or appeals dismissed as frivolous, malicious, or for failure to state a claim is not eligible to proceed without prepayment of the full filing fee unless the prisoner is in imminent danger of serious physical injury.
- 11: The original complaint, the filing fee or the application to proceed without prepayment fees, and any other correspondence pertaining to this action should be sent to one of the following addresses:

AUGUSTA DIVISION (comprised of Burke, Columbia, Glascock, Jefferson, Lincoln, McDuffie, Richmond, Taliaferro, Wilkes, and Warren Counties), should be mailed to United States District Court, P O Box 1130, Augusta GA 30903.

BRUNSWICK DIVISION (comprised of Appling, Camden, Glynn, Jeff Davis, Long, McIntosh, and Wayne Counties), should be mailed to United States District Court, P O Box 1636, Brunswick GA 31521.

DUBLIN DIVISION (comprised of Dodge, Johnson, Laurens, Montgomery, Telfair, Treutlen, and Wheeler Counties), should be mailed to United States District Court, P O Box 1130, Augusta GA 30903.

SAVANNAH DIVISION (comprised of Bryan, Chatham, Effingham, and Liberty Counties), should be mailed to United States District Court, P O Box 8286, Savannah GA 31412.

WAYCROSS DIVISION (comprised of Atkinson, Bacon, Brantley, Charlton, Coffee, Pierce, and Ware Counties), should be mailed to United States District Court, P O Box 1636, Brunswick GA 31521.

STATESBORO DIVISION (comprised to Bulloch, Candler, Emanuel, Evans, Jenkins, Tattnall, and Toombs Counties), should be mailed to United States District Court, P O Box 8286, Savannah GA 31412.

**FORM TO BE USED BY PRISONERS IN FILING A COMPLAINT  
UNDER THE CIVIL RIGHTS ACT, 42 U.S.C. § 1983  
in the UNITED STATES DISTRICT COURT for the SOUTHERN DISTRICT of GEORGIA**

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(Enter above full name of plaintiff or plaintiffs)

v.

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(Enter above full name of defendant or defendants)

I. Previous lawsuits

- A. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action? Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to A is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to this previous lawsuit:

Plaintiffs: \_\_\_\_\_  
\_\_\_\_\_

Defendants: \_\_\_\_\_  
\_\_\_\_\_

2. Court (if federal court, name the district; if state court, name the county):

\_\_\_\_\_

3. Docket number: \_\_\_\_\_

4. Name of judge assigned to case: \_\_\_\_\_

5. Disposition  
(for example, was the case dismissed? appealed? is it still pending?):

\_\_\_\_\_

6. Approximate date of filing lawsuit: \_\_\_\_\_

7. Approximate date of disposition: \_\_\_\_\_

8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)? Yes \_\_\_\_\_ No \_\_\_\_\_

B. While incarcerated or detained in any facility, have you brought any lawsuits in federal court which deal with facts other than those involved in this action?

Yes \_\_\_\_\_ No \_\_\_\_\_

If your answer to B is yes, describe each lawsuit in the space below. (If there is more than one lawsuit, describe the additional lawsuits on another piece of paper, using the same outline.)

1. Parties to previous lawsuit:

Plaintiffs: \_\_\_\_\_

Defendants: \_\_\_\_\_

2. Court (name the district):

\_\_\_\_\_

3. Docket number: \_\_\_\_\_

4. Name of judge assigned to case: \_\_\_\_\_

5. Disposition  
(for example, was the case dismissed? appealed? is it still pending?):

\_\_\_\_\_

6. Approximate date of filing lawsuit: \_\_\_\_\_

7. Approximate date of disposition: \_\_\_\_\_

8. Were you allowed to proceed *in forma pauperis* (without prepayment of fees)? Yes \_\_\_\_ No \_\_\_\_

C. As to any lawsuit filed in federal court where you were allowed to proceed *in forma pauperis*, was any suit dismissed on the ground that it was frivolous, malicious, or failed to state a claim? Yes \_\_\_\_ No \_\_\_\_

1. If your answer to C is yes, name the court and docket number for each case:

_____	_____
_____	_____
_____	_____
_____	_____

II. Place of present confinement: \_\_\_\_\_

A. Is there a prisoner grievance procedure in this institution? Yes \_\_\_\_ No \_\_\_\_

B. Did you present the facts relating to your complaint to the appropriate grievance committee? Yes \_\_\_\_ No \_\_\_\_

C. If your answer to B is yes:

1. What steps did you take? \_\_\_\_\_

_____
_____
_____
_____

2. What was the result? \_\_\_\_\_

_____
_____
_____
_____

3. Did you appeal any adverse decision to the highest level possible in the administrative procedure? Yes \_\_\_ No \_\_\_

If yes, what was the result? \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

D. If you did not utilize the prison grievance procedure, explain why not: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

III. Parties

(In Item A below, list your name as plaintiff and current address. Provide the name and address of any additional plaintiffs on an attached sheet.)

A. Name of plaintiff: \_\_\_\_\_  
Address: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(In Item B below, list the defendant's full name, position, place of employment, and current address. Provide the same information for any additional defendants in Item C below.)

B. Name of defendant: \_\_\_\_\_  
Position: \_\_\_\_\_  
Place of employment: \_\_\_\_\_  
Current address: \_\_\_\_\_  
\_\_\_\_\_

C. Additional defendants: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_



V. Relief

State briefly exactly what you want the court to do for you. Make no legal arguments. Cite no cases or statutes.

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I declare under penalty of perjury that the foregoing is true and correct.

Signed this \_\_\_\_\_ day of \_\_\_\_\_, 19\_\_\_\_\_.

Prisoner No. \_\_\_\_\_

\_\_\_\_\_  
(Signature of Plaintiff)