Pickford v. Bittorf et al Doc. 8 Att. 1

# UNITED STATES DISTRICT COURT NORTHERN DISTRICT OF INDIANA

| PLAINTIFF [Type or print your name on the line above]   | )<br>)<br>)<br>) |                                                                |
|---------------------------------------------------------|------------------|----------------------------------------------------------------|
| v.                                                      | ) Cause No.      | 3:15-cv-191                                                    |
| , DEFENDANT                                             | )                | [Leave this blank, the clerk will supply the cause number when |
| [Type or print <u>only</u> the name of the <u>first</u> | )                | your case is received.]                                        |
| person you are suing. List everyone you                 | )                |                                                                |
| are suing on page 2.]                                   | )                |                                                                |
| AME                                                     | NDED             | NT/TS                                                          |

# PRISONER COMPLAINT 42 U.S.C. § 1983

## I. PARTIES

|                      | <u>1, Г</u>               | AKIIES                        |                                 |
|----------------------|---------------------------|-------------------------------|---------------------------------|
| A. PLAINTIFF [You ar | e the plaintiff in this i | awsuit. <u>Neatly</u> print o | or type your information below. |
| 1                    |                           |                               |                                 |
| Name: First          | Middle                    | Last                          | Offender Number                 |
| 2. Where are you be  | _                         |                               |                                 |
|                      | [name ti                  | he prison or jail where       | e you are incarcerated]         |
| 3. What is the addre | ess:                      |                               |                                 |
|                      |                           |                               |                                 |
| 3a. What is the tele | phone number:_            |                               |                                 |
| 4. Did the things th | at you are suing a        | about happen in t             | the place listed above:         |
| ☐ YES, it ha         | ppened here in th         | e same facility I a           | am being held at today.         |
| $\square$ NO, it hap | pened at                  |                               |                                 |
| 5. Did the things th | at you are now su         | ing about, happe              | en:                             |
| ☐ before you         | were confined, o          | r                             |                                 |
| $\square$ when you   | were confined aw          | aiting trial, or              |                                 |
| after conv           | ction while confir        | ned serving a sent            | tence.                          |
|                      |                           |                               |                                 |

(Revised March 2002)

| В.                                                                                                                                                                                                                                                                                                                                           | . DEFENDANT(S) How                          | many defendants are you suing: _                                                                                |                         |
|----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------------------------------------------|-----------------------------------------------------------------------------------------------------------------|-------------------------|
| [The defendants are the people you are suing. Print or type the defendant's name, job title, the state or local government agency the defendant works for, and the address of that government agency. Remember to include the defendant you named in the caption on page one. If you are suing more than one defendant, <u>number</u> them.] |                                             |                                                                                                                 |                         |
| #                                                                                                                                                                                                                                                                                                                                            | Defendant's Name                            | Job Title/Government Agency                                                                                     | Work Address            |
| 1.                                                                                                                                                                                                                                                                                                                                           |                                             |                                                                                                                 |                         |
|                                                                                                                                                                                                                                                                                                                                              | <u>I</u>                                    | I. GRIEVANCE PROCEDURE                                                                                          |                         |
|                                                                                                                                                                                                                                                                                                                                              | Is there a prisoner goout the things you ar | rievance system that would allow goes suing about?                                                              | you to file a grievance |
| B.<br>                                                                                                                                                                                                                                                                                                                                       | YES [Attach the                             | grievance about the things you are response from the final step of the grievangy you did not file a grievance.] | ce process.]            |
|                                                                                                                                                                                                                                                                                                                                              |                                             |                                                                                                                 |                         |

## III. CAUSE(S) OF ACTION WITH SUPPORTING FACTS

Write why you are suing each defendant. Write who, what , when , where, and how you believe your rights were violated. It is **VERY IMPORTANT** that you use each defendant's name in describing what happened to you. If you do not write what each defendant did, the court will not know why you are suing and that defendant will be dismissed.

Explain what constitutional or federal law right, privilege or immunity each defendant violated. Do not cite or quote cases or statutes. If you want to make legal arguments or citations, you must file a separate memorandum of law. Do not attach it to this complaint.

Write a new paragraph for each violation. Name each defendant involved in that violation. Number your paragraphs.

| Cause(s) of Action with Supporting Facts (continued) |  |
|------------------------------------------------------|--|
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |
|                                                      |  |

# IV. PREVIOUS LAWSUITS

| Have you ever sued anyone for                                                 | the same things you wrote about in this                                                                     |
|-------------------------------------------------------------------------------|-------------------------------------------------------------------------------------------------------------|
|                                                                               | Print or type the following information about the hadditional sheets if there is more than one              |
| Court:                                                                        |                                                                                                             |
| Judge:                                                                        | _ Docket Number:                                                                                            |
| Date filed:                                                                   | Date closed:                                                                                                |
| <u>V</u>                                                                      | . RELIEF                                                                                                    |
| Write exactly what you want the cou<br>a defendant be fired, investigated, or | art to do for you. This court cannot order that or criminally prosecuted.                                   |
|                                                                               | n <u>cannot</u> restore good time, expunge your ustody. For this type of relief, you must file a C. § 2254. |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |
|                                                                               |                                                                                                             |

## VI. VERIFICATION AND SIGNATURE

# Initial Each Statement and Sign at the Bottom

| I have included two properly co                     | ompleted summons forms (available from the                                                                                                                    |
|-----------------------------------------------------|---------------------------------------------------------------------------------------------------------------------------------------------------------------|
| clerk) for each defendant I am address.             | suing, including full name, job title and work                                                                                                                |
|                                                     | completed process receipt and return form                                                                                                                     |
| ~                                                   | completed process receipt and return form U.S. Marshal) for each defendant I am suing.                                                                        |
|                                                     | rith an original signature, I have included one h defendant and one extra for the court.                                                                      |
| completed prisoner petition to                      | t of the filing fee <b>OR</b> attached a properly proceed <i>in forma pauperis</i> (available from the on trust fund account statement for the six this case. |
| I agree to promptly notify the                      | clerk of any change of address.                                                                                                                               |
| I have read all of the statement for your records.] | nts in this complaint. [Do not forget to keep a copy                                                                                                          |
| I declare <b>under penalty of pe</b>                | erjury that the foregoing is true and correct.                                                                                                                |
| Signed this day of                                  |                                                                                                                                                               |
|                                                     |                                                                                                                                                               |
|                                                     | Your Signature                                                                                                                                                |

### FOR THE FORT WAYNE DIVISION:

OFFICE OF THE CLERK UNITED STATES DISTRICT COURT 1108 E. ROSS ADAIR COURTHOUSE 1300 S. HARRISON STREET FORT WAYNE, IN 46802

### FOR THE HAMMOND DIVISION:

OFFICE OF THE CLERK UNITED STATES DISTRICT COURT 5400 FEDERAL PLAZA, SUITE 2300 HAMMOND, IN 46302

### FOR THE SOUTH BEND DIVISION:

OFFICE OF THE CLERK UNITED STATES DISTRICT COURT 102 ROBERT A. GRANT COURTHOUSE 204 S. MAIN STREET SOUTH BEND, IN 46601

#### FOR THE LAFAYETTE DIVISION:

OFFICE OF THE CLERK UNITED STATES DISTRICT COURT 214 CHARLES HALLECK FEDERAL BLDG. 230 NORTH FOURTH STREET LAFAYETTE, IN 47901