

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY**

**Directions for Completing the
CIVIL RIGHTS COMPLAINT**

This form is to be used to file a lawsuit:

- against state or local officials under the Civil Rights Act, 42 U.S.C. §1983, or
- against federal officials under 28 U.S.C. §1331 pursuant to *Bivens v. Six Unknown Federal Narcotics Agents*, 403 U.S. 388 (1971).

Complete the entire form. **ANSWER ALL QUESTIONS.**

Do not include legal arguments or citations. **EXPLAIN THE FACTS** -- what happened, on what date, where, and who was involved or was responsible.

You may attach additional sheets if you need more space, but stating simply "see attached" may result in dismissal of your complaint without prejudice.

You may draft your own complaint, but it must contain all of the information requested in this form. It must be typed or clearly handwritten.

You are responsible for paying the \$350 filing fee once your Complaint is filed, regardless of the outcome of your case.

If you cannot pay the entire fee when the Complaint is filed, you may file an application to proceed *in forma pauperis*. Your *in forma pauperis* application must include a completed affidavit form. Prisoners must also include a completed Certificate of Inmate Account.

If the Court grants you pauper status, the Court will permit you to proceed by paying only part of the fee or no fee at all. Prisoners must always pay the entire amount of the filing fee, but are permitted to pay it in installments if granted pauper status.

Keep a copy of all documents you file with the Court for your own records. The Clerk of the Court must charge for copies, regardless of *in forma pauperis* status.

You must advise the Clerk of the Court if you change your address. Your case may be dismissed if you fail to do so.

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF KENTUCKY
Southern DIVISION at Pikeville

CIVIL ACTION NO. 7:14-cv-19-ART (Court Clerk will supply)

PLAINTIFF

VS:

Demand for Jury Trial:
Yes () No ()

(do not use "et al.",
enter full names)

DEFENDANTS

I. Plaintiff:

- A. Name (list any aliases): _____
- B. Prisoner ID #: _____ Check one: Convicted _____ Pretrial Detainee _____
- C. Place of present confinement: _____
- D. Address: _____

II. Defendant(s): (additional defendants may be listed on a separate sheet of paper)

- A. Defendant's Name: _____
Title or Position: _____
Place of Employment: _____
- B. Defendant's Name: _____
Title or Position: _____
Place of Employment: _____

C. Where did these events happen?

D. What rights under the Constitution, federal law, federal regulations, state law, or state regulations do you allege the Defendant(s) violated? State the specific constitutional provision or law if you know it.

IV. Exhaustion of Administrative Remedies

A prisoner must complete all steps of the prison's grievance process before filing any lawsuit that relates to prison conditions.

A. **Federal Prisoners** answer the following:

1. Did you file a grievance regarding the facts in this Complaint under Bureau of Prisons regulations? YES () NO ()

2. If so, did you (check **ALL** that apply):

_____ file a request or appeal to the Warden _____ date

_____ appeal to the Regional Director _____ date

_____ appeal to the Office of General Counsel _____ date

3. **ATTACH** a copy of each grievance or appeal form you filed and the prison's response(s) to each grievance or appeal.

4. What was the result? _____

5. If you did not file a grievance, why not? _____

B. State Prisoners answer the following:

1. Did you file a grievance regarding these facts under Kentucky Department of Corrections CPP 14.6 or an appeal of a disciplinary decision to the warden under CPP 15.6? YES () NO ()

2. If you filed a grievance under CPP 14.6, did you (check **ALL** that apply):

<input type="checkbox"/> file a grievance and seek an informal resolution	<input type="checkbox"/> date
<input type="checkbox"/> request a hearing from the Grievance Committee	<input type="checkbox"/> date
<input type="checkbox"/> appeal to the Warden	<input type="checkbox"/> date
<input type="checkbox"/> appeal to the Commissioner	<input type="checkbox"/> date

Did you file an appeal of a disciplinary decision to the warden under CPP 15.6?
YES () NO () date

3. **ATTACH** a copy of each grievance or appeal form you filed and the prison's response(s) to each grievance or appeal.

4. What was the result? _____

5. If you did not file a grievance, why not? _____

C. **County or City Prisoners** answer the following:

1. Is there a grievance/appeal policy at your jail? YES () NO ()
2. **ATTACH** a copy of the grievance/appeal policy to your Complaint, if available. If not, briefly describe the grievance/appeal policy below.

3. Did you file a grievance regarding these facts? YES () NO ()

4. If you filed a grievance:

- a. What steps did you take to use the grievance process? _____

- b. What was the result? _____

- c. If unsuccessful, did you file an appeal? YES () NO ()

- d. What was the result? _____

- e. Did you take any further steps in the grievance process?

YES () NO () NO MORE AVAILABLE ()

- f. What was the result? _____

5. If you did not file a grievance, why not?: _____

V. OTHER LAWSUITS

A. Have you filed any other lawsuit **dealing with the same facts** raised in this action?
YES () NO ()

B. If your answer to question A is **YES**, describe the lawsuit in the space below.
If you filed more than one other lawsuit, provide the same information for each
other lawsuit on additional sheets of paper.

1. PARTIES:

Plaintiff: _____

Defendant(s): _____

2. COURT: (name the district for a federal court, or the county for a state court)

3. CASE NO.: _____ DATE FILED: _____

4. OUTCOME: (is the case still pending? was it dismissed? being appealed?)

5. DATE OF JUDGMENT, DISMISSAL, or APPEAL: _____

C. List any other lawsuits that you have filed in any state or federal court:

1. Plaintiff _____ vs. Defendant(s) _____

Court Name: _____ Case No.: _____

Nature of Claim: _____ Date Filed: _____

Outcome: _____ Date: _____

2. Plaintiff _____ vs. Defendant(s) _____

Court Name: _____ Case No.: _____

Nature of Claim: _____ Date Filed: _____

Outcome: _____ Date: _____

3. Plaintiff _____ vs. Defendant(s) _____
Court Name: _____ Case No.: _____
Nature of Claim: _____ Date Filed: _____
Outcome: _____ Date: _____

VI. Relief:

State exactly what you want the Court to do for you. You don't need to make legal arguments or refer to any cases or statutes, just explain what you want to happen if you prevail on your claim.

VII. Review this Form

Please take a moment to go back and review your responses to each of the questions. Immediately below you are required to certify under penalty of perjury that the information you have provided in this form is correct to the best of your knowledge, so please make sure that your responses fully and accurately explain your claim.

CERTIFICATION

Pursuant to 28 U.S.C. §1746, I declare under penalty of perjury that the foregoing is true and correct.

Signature of Plaintiff

Prison ID#

Date

Plaintiff's Address: _____
