Gabar v. Cox et al Doc. 4 Att. 1

## UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF MISSOURI DIVISION

) ) )	Complaint for a Civil Case	
(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	Case No.  (to be assigned by Clerk of District Court)	
additional page with the full list of names.)	Plaintiff requests trial by jury:  Yes No	
v. )		
) ) )		
(Write the full name of each defendant.  The caption must include the names of all of the parties. Fed. R. Civ. P. 10(a).  Merely listing one party and writing "et al." is insufficient. Attach additional sheets if necessary.)		

#### **CIVIL COMPLAINT**

#### *NOTICE:*

Federal Rule of Civil Procedure 5.2 addresses the privacy and security concerns resulting from public access to electronic court files. Under this rule, papers filed with the court should not contain: an individual's full social security number or full birth date, the full name of a person known to be a minor, or a complete financial account number. A filing may include only: the last four digits of a social security number, the year of an individual's birth, a minor's initials, and the last four digits of a financial account number.

Except as noted in this form, plaintiff need not send exhibits, affidavits, grievance or witness statements, or any other materials to the Clerk's Office with this complaint.

In order for your complaint to be filed, it must be accompanied by the filing fee or an application to proceed without prepaying fees or costs.

## 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.

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

Name

Job or Title

Street Address

City and County

State and Zip Code

Telephone Number

E-mail Address

(If more than one defendant is named in the complaint, attach an additional page providing the same information for each additional defendant. If you are suing for violation of your civil rights, you must state whether you are suing each defendant in an official capacity, individual capacity, or both.)

#### II. Basis for Jurisdiction

Federal courts are courts of limited jurisdiction (limited power). Generally, only three types of cases can be heard in federal court. Provide the information for this case. (Include all information that applies to your case)

## 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.

# B. Suit against the Federal Government, a federal official, or federal agency

List the federal officials or federal agencies involved, if any.

## C. Diversity of Citizenship

These are cases 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. In a diversity of citizenship case, no defendant may be a citizen of the same State as any plaintiff.

1. The Plaintiff(s)

The plaintiff, (name) , is a citizen of 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 the defendant is an individual

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

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 the State of (foreign nation)

, and has its principal place

of business in (name)

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

## 3. The Amount in Controversy

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

### III. Statement of Claim

Type, or neatly print, a short and plain statement of the **FACTS** that support your claim(s). For every defendant you have named in this complaint, you must state what he or she personally did to harm you. If more than one claim is asserted, number each claim and write a short and plain statement of each claim in a separate paragraph. Do not make legal arguments, or cite court cases or statutes. You may attach additional pages if necessary.

Your statement of claim must include all of the following information:

- 1. What happened to you?
- 2. When did it happen?
- 3. Where did it happen?
- 4. What injuries did you suffer?
- 5. What did each defendant personally do, or fail to do, to harm you?

#### IV. Relief

State briefly and precisely what damages or other relief you want from the Court. Do not make legal arguments.

	Do you claim the w	rongs alleged	d in your	complaint are	continuing to occ	cur now?		
		Ŋ	Yes	No				
	Do you claim actual damages for the acts alleged in your complaint?							
		Ŋ	Yes	No				
	Do	o you claim p	ounitive n	nonetary dama	ges?			
		Ŋ	Yes	No				
•	ou indicated that you cla ounts claimed and the re		_	•	, ,			
v.	Certification and Clo	J	1		T			
	Under Federal Rule of knowledge, informati improper purpose, su cost of litigation; (2) extending, modifying evidentiary support of after a reasonable of complaint otherwise of	on, and belied ch as to hare is supported g, or reverse or, if specific pportunity	of that thing the control of the con	s complaint: (1 unnecessary d ting law or by ing law; (3) entified, will li er investigatio	) is not being pro- elay, or needlessl a nonfrivolous the factual cont kely have evider n or discovery;	y increase the argument for tentions have ntiary support		
	I agree to provide the papers may be served. the Clerk's Office may	I understan	d that my	failure to keep	•			
	I declare under penal	lty of perjury	that the	foregoing is tru	e and correct.			
		Signature of	Plaintiff(	s)				