

**UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF FLORIDA**

INSTRUCTIONS FOR PRO SE, PRISONER LITIGANTS
FILING CIVIL RIGHTS COMPLAINTS IN ACTIONS UNDER
28 U.S.C. § 1331 or § 1346 or 42 U.S.C. § 1983

Civil rights actions commenced by pro se litigants will not be considered by the Court unless the “Civil Rights Complaint Form for Pro Se, Prisoner Litigants in Actions Under 28 U.S.C. § 1331 or § 1346 or 42 U.S.C. § 1983” has been completed by the litigant as explained below.

Explanation and Instructions – Read Carefully

1. This packet includes a complaint form which must be completed as instructed below. Also included is an *in forma pauperis* application which you must complete if you cannot pay the \$400.00 filing fee.
2. Your complaint form must be legibly handwritten, typewritten, or computer generated, and all questions on the complaint form must be answered. If you need additional space to answer a question, you may use additional blank pages, but do not write on the reverse side of any page. **ANY FALSE STATEMENT MADE ON THE COMPLAINT FORM MAY RESULT IN THE DISMISSAL OF YOUR COMPLAINT AND MAY ALSO SERVE AS THE BASIS FOR PROSECUTION OF PERJURY.**
3. Use your full official name as Plaintiff. When identifying Defendants, provide the name and title of each Defendant; *i.e.*, Officer R. Smith. You must also furnish an address for each Defendant.
4. State the facts supporting your claims in Section V of the complaint form. The claims raised in this action must relate to the same basic incident or issue. Any claims not related to the same basic incident or issue must be addressed in a separate civil rights complaint. When presenting the facts, do not make legal arguments or provide case citations. Legal argument is unnecessary at the initiation of a case; however, if you would like to make a legal argument, you should do so by filing a separate memorandum of law. Do not attach evidence

or exhibits to the complaint form. You will be advised when it is appropriate to submit evidence, exhibits, or legal argument in support of your claim(s).

5. You must sign the last page of the complaint form and send the form containing your original signature to the Court for filing. Do not provide service copies until instructed to do so.
6. For the complaint to be filed, you must submit a filing fee of \$400.00 at the same time you submit your complaint if you are financially able to do so. If you are unable to pay the filing fee, you may petition the Court to proceed *in forma pauperis* using the forms included in this packet. The forms must be submitted with your complaint form. You must also have an authorized official at your institution complete the certificate section of the form providing information about your inmate bank account.
7. If you are financially able to pay the filing fee, you must also pay for service of the complaint upon Defendants, although you may seek assistance from the Court. Those who are allowed to proceed *in forma pauperis* are entitled to service of the complaint upon Defendants by the United States Marshal. If you are granted leave to proceed *in forma pauperis*, you should not attempt to effect service of the complaint by yourself, nor should you mail any Defendant a request for waiver of formal service pursuant to Rule 4 of the Federal Rules of Civil Procedure. The Court will order the United States Marshal to serve the complaint on the Defendants at the appropriate time.
8. After receiving a case number from the Clerk of Court, you must include the case number on all documents filed with the Court. You must keep a copy of every document you send to the Court, including a copy of this complaint. Litigants are not entitled to receive free copies from the Clerk of Court, even if proceeding *in forma pauperis*.
9. You must immediately advise the Court of any change of address by filing a "Notice to the Court of Change of Address." This notice must contain the address change and must be signed. **FAILURE TO NOTIFY THE COURT OF ANY CHANGE OF ADDRESS COULD RESULT IN THE DISMISSAL OF YOUR CASE.**
10. The complaint will be prosecuted in the Gainesville, Panama City, Pensacola, or Tallahassee Division of the Court, depending on the county of residence of one or more of the Defendants or the place where the events forming the basis

of the complaint occurred. You should name the appropriate division of the Court in the space provided at the top of the complaint form.

The following counties comprise the **Gainesville** Division: Alachua, Dixie, Gilchrist, Lafayette, and Levy. Cases to be filed in the Gainesville Division should be mailed to:

CLERK, U.S. DISTRICT COURT
401 S.E. FIRST AVENUE
ROOM 243
GAINESVILLE, FLORIDA 32601-6895

The following counties comprise the **Panama City** Division: Bay, Calhoun, Gulf, Holmes, Jackson, and Washington. Cases to be filed in the Panama City Division should be mailed to:

CLERK, U.S. DISTRICT COURT
ONE NORTH PALAFOX STREET
PENSACOLA, FLORIDA 32502-5658

The following counties compromise the **Pensacola** Division: Escambia, Okaloosa, Santa Rosa, and Walton. Cases to be filed in the Pensacola Division should be mailed to:

CLERK, U.S. DISTRICT COURT
ONE NORTH PALAFOX STREET
PENSACOLA, FLORIDA 32502-5658

The following counties compromise the **Tallahassee** Division: Franklin, Gadsden, Jefferson, Leon, Liberty, Madison, Taylor, and Wakulla. Cases to be filed in the Tallahassee Division should be mailed to:

CLERK, U.S. DISTRICT COURT
111 N. ADAMS STREET
TALLAHASSEE, FLORIDA 32301-7730