

**Complaint for Violation of Civil Rights by Prisoners
Under 42 U.S.C § 1983 or a Bivens Claim**

Instructions

1. In order to file the above-captioned claim, you must completely fill out the form entitled “Complaint for Violation of Civil Rights (Prisoner Complaint).”
2. Your complaint can typically be brought in this Court only if one or more of the named defendants is located in this district or committed the alleged civil rights violation(s) in this district. The North Carolina counties comprising this district include Chatham, Durham, Lee, Orange, Person, Alamance, Caswell, Guilford, Randolph, Rockingham, Hoke, Montgomery, Moore, Richmond, Scotland, Cabarrus, Davidson, Davie, Rowan, Stanly, Forsyth, Stokes, Surry and Yadkin.
3. You must file a separate complaint for each claim unless they are all related to the same incident or issue.
4. All questions must be answered clearly and concisely. You must tell the truth and must sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
5. You do not need to cite law. If you do not fill out the form properly, you may be asked to submit additional or correct information. If you want to submit a brief or arguments, you must submit them in a separate memorandum which is limited to twenty (20) pages
6. Make sure the form is typed or neatly written with proper margins. All filings must include your original signature. If needed, you may attach additional pages. If the additional pages are typewritten, they must be double spaced. All filings must be submitted on paper sized 8 ½ x 11 inches. Do not use the back of any page.
7. Your complaint must be accompanied by the filing fee of \$400.00 (which includes a \$50.00 administrative fee). If you are unable to pay the filing fee, you may petition the court to proceed *in forma pauperis*. To do so, you must complete the form entitled “Declaration and Request to Proceed In Forma Pauperis.” The additional administrative fee does not apply if you are granted *in forma pauperis* status under 28 U.S.C. § 1915.

The court will review your request, and if insufficient funds exist you may be permitted to conditionally proceed *in forma pauperis*, allowing your action to commence without the prepayment of fees. However, even if you are permitted to conditionally proceed *in forma pauperis* and without *prepayment* of fees, the Prison Litigation Reform Act requires that you pay the full amount of the filing fee, not including the administration fee. You must comply with any order of the court, including possible payment of an initial partial fee. After the initial partial filing fee is paid you will be required to make monthly payments of 20% of the preceding month’s income credited to your account. The court will order the agency having custody over you to set aside such amounts and forward payments from your account to the clerk of court.

05/2017

8. Mail the original complaint, filing fee or *in forma pauperis* application, and any other correspondence pertaining to this action to:

Clerk of Court, US District Court
North Carolina Middle District
324 W. Market Street
Greensboro, NC 27401

If you want a file stamped copy of your complaint, you must enclose an additional copy of the complaint, a self-addressed stamped envelope, and ask the court to file stamp it and return it to you.

9. If at any time during the course of your case your address changes, you must immediately notify this court of your new address in writing or the action could be dismissed without notice to you.