
(full name/prisoner number)

(complete mailing address)

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF IDAHO

(full name)

Plaintiff,

v.

Defendant(s).

(if you need additional space, use a blank page
for a continuation page)

Case No.
(to be assigned by Court)

PRISONER COMPLAINT

Jury Trial Requested: ____ Yes ____ No

A. JURISDICTION

The United States District Court for the District of Idaho has jurisdiction over my claims under:
(check all that apply):

- _____ 42 U.S.C. § 1983 (applies to state, county, or city defendants)
- _____ *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (applies to federal government defendants only)
- _____ Other federal statute (specify) _____; or diversity of citizenship.
- _____ I also ask the federal court to exercise supplemental jurisdiction over state law claims.

B. PLAINTIFF

My name is _____. I am a citizen of the State of _____,
presently residing at _____.

C. DEFENDANT(S) AND CAUSE(S) OF ACTION

(Copy and use a separate page for each defendant and each different type of claim; for example, if you have two different claims against one defendant, you will use two pages. Attach a continuation page if needed, but try to be brief.)

1. I am suing _____, who was acting as _____
(defendant) (job title, if a person; function, if an entity)

for the _____.
(state, county, city, federal government, or private entity performing a public function)

2. *(Factual Basis of Claim)* I am complaining that on _____, Defendant did
(dates)

the following *(state how Defendant participated in the violation and include the reason Defendant so acted if known):*

3. *(Legal Basis of Claim)* I allege that the acts described above violated the following provisions of the Constitution, federal statutes, or state laws:

4. I allege that I suffered the following injury or damages as a result:

5. I seek the following relief: _____

6. I am suing Defendant in his/her ___ personal capacity *(money damages from Defendant personally)*, and/or ___ official capacity *(seeking an order for Defendant to act or stop acting in a certain way; or money damages from an entity because of Defendant’s acts, as allowed by law)*; or ___ Defendant is an entity *(government or private business)*.

7. For this claim, I exhausted the grievance system within the jail or prison in which I am incarcerated. ___ Yes ___ No. If “Yes,” briefly explain the steps taken to exhaust; if “No,” briefly explain why full jail or prison grievance remedies were not exhausted.

D. PREVIOUS OR PENDING LAWSUITS

I have pursued or am now pursuing the following other lawsuits: (include (1) all lawsuits in state or federal court related to the subject matter of this action, and (2) any federal court civil rights lawsuits, related or unrelated, and note whether you have received a strike under 28 U.S.C. § 1915(g) for filing a complaint that is frivolous, malicious, or fails to state a claim upon which relief can be granted.)

Court	Case No.	Case Name	Status of Case	Strike?
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____
_____	_____	_____	_____	_____

E. REQUEST FOR APPOINTMENT OF ATTORNEY

I do ___ do not ___ request that an attorney be appointed to represent me in this matter. I believe that I am in need of an attorney for these particular reasons which make it difficult for me to pursue this matter without an attorney:

F. DECLARATION UNDER PENALTY OF PERJURY

I declare under penalty of perjury:

that I am the plaintiff in this action, that I have read the complaint, and that the information contained in the complaint is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621; and

that I deposited this complaint postage prepaid in a United States postal depository unit on _____ (date); OR that I gave the complaint to prison officials for mailing and filing with the Clerk of Court under the indigent inmate policy on _____ (date); OR (specify other method) _____.

Executed at _____ on _____
(Location) (Date)

Plaintiff's Original Signature

*Note: Fill in the page numbers. Keep one copy of the complaint for yourself (or you may send a copy to the Clerk of Court with your original complaint so that the Clerk can stamp the date and case number on the copy and return it to you), but do not send extra copies of the complaint to the Court for Defendants or otherwise. Do not attach **original** exhibits to your complaint, such as your only grievance copy. Do not attach more than 25 pages of exhibits. If you have more exhibits, wait until the Court determines you can proceed and then seek leave to file them for an appropriate purpose. After your complaint has been filed, it must be reviewed by a federal judge to determine whether you can proceed.*

**NOTICE THAT CASE WILL BE ASSIGNED TO
A UNITED STATES MAGISTRATE JUDGE
AND CONSENT FORM**

In accordance with District of Idaho General Order No. 237, the Clerk of Court automatically assigns all pro se cases to one of the United States Magistrate Judges, using a random assignment system. Assignment to a Magistrate Judge means that the Judge will conduct all proceedings in the case, including trial and entry of final judgment.

Exercise of this jurisdiction by a United States Magistrate Judge is, however, permitted only if all parties file a written consent form, a copy of which is part of this notice. If all parties do not consent, then the case will be reassigned to a District Judge to conduct all proceedings.

All consents and requests for reassignment to a District Judge are handled separately by the Clerk of Court, rather than by the Judges' staff. The District's docketing procedures are structured to keep the consent process confidential. Therefore, your decision to consent or request reassignment will have no effect on the resolution of your case.

However, a Magistrate Judge's trial docket is generally less crowded than those of the District Judges, because District Judges have the additional duty of presiding over federal felony criminal trials, which must take precedence over civil cases because of the speedy trial rights involved. Therefore, consenting to proceed before a Magistrate Judge often means your civil case (including habeas corpus and civil rights cases) will be resolved more quickly than if it is assigned to a District Judge.

**CONSENT TO THE EXERCISE OF JURISDICTION
BY A UNITED STATES MAGISTRATE JUDGE**

In accordance with provisions of 28 U.S.C. § 636(c), Fed. R. Civ. P. 73, and District of Idaho General Order No. 237, the undersigned party to this case consents to have a United States Magistrate Judge conduct any and all proceedings in this case, including the trial, and order the entry of a final judgment.

Name

Signature

Date
