

INFORMATION AND INSTRUCTIONS
FOR FILING PRO SE COMPLAINTS
(Non-Prisoner)

- 1) The purpose of this Information and Instructions is to assist you in preparing a PRO SE complaint, that is, preparing a complaint without representation by an attorney.
- 2) In order for your complaint to be considered by the district court, it must be typewritten or legibly handwritten. The complaint must contain a caption setting forth the name of the Court and the names of all parties. Each claim shall be made in numbered paragraphs, the contents of each shall be limited as far as practicable to a statement of a single set of circumstances. If there is more than one defendant, you should clearly indicate which act alleged is attributable to each defendant. Citation of legal authority or argument is not necessary. You may attach an exhibit to a pleading. See Fed.R.Civ.P. 10. All other pleadings which you file should also have the name of the Court, the names of the parties, and the file number (which is provided by the Clerk at the time you file the complaint).
- 3) Your complaint must be signed. By signing a pleading, written motion, or other paper, you are certifying to the Court that to the best of your knowledge, information and belief, all claims are not being presented for an improper purpose and are warranted by a nonfrivolous argument. See Fed.R.Civ.P. 11. ALSO, you must include your current address and telephone number on EACH pleading filed.
- 4) An original and one copy of the complaint must be provided for the Court. You will also need one copy of the complaint for each of the persons (defendants) you wish to sue. For example, if you name two defendants, you should file an original and 1 copy for the Court, and get three copies of the complaint file-stamped. (1 for each of the 2 defendants and 1 copy for your record). All copies of the complaint must be IDENTICAL to the original.
- 5) The complaint must be accompanied by a filing fee of \$150.00; if paying by check, make it payable to the **U.S. District Court Clerk**. If you cannot afford to pay the filing fee and desire to proceed in forma pauperis, you must complete a Motion for Leave to Proceed *In Forma Pauperis* & Supporting Affidavit. This form may be obtained from the Clerk of the Court, and a sample is attached.
- 6) You are responsible for completing a summons for each person (defendant) you wish to sue and shall have the Clerk issue them. You will be responsible for service upon the defendants (persons you wish to sue) UNLESS you have been granted leave to proceed in forma pauperis. See Fed.R.Civ.P. 4.

If you are proceeding in forma pauperis, you are also responsible for completing a USM-285 Form as well as summons for each person (defendant) you wish to sue. (See samples attached.)

- 7) When your complaint is completed, it should be delivered or mailed with the necessary copies, service documents, and filing fee or Motion for Leave to Proceed *In Forma Pauperis* & Supporting Affidavit to the following address:

**CLERK OF THE COURT
UNITED STATES DISTRICT COURT
333 West Fourth Street, Room 4-411
Tulsa OK 74103-3819**

- 8) On all future pleadings submitted to the Court for filing, you must furnish the opposing party or his attorney with a copy of the pleading, and you must include a "Certificate of Service" on the original pleading. A certificate of service states the date a copy of the document was mailed to the opposing party or his attorney and the address to which it was mailed. Any pleading received which fails to include a certificate of service may be disregarded by the Court and returned by the Clerk.

A certificate of service may be in the following form:

I hereby certify that a copy of the above pleading/document
was mailed to opposing party or attorney
at address, city, state, zip
on date, 2000.

(Your signature as Plaintiff)

- 9) The United States Magistrates, the Clerk of Court, and deputy Clerks are officers of the court and are prohibited from giving legal advice. Questions of this nature should be directed to an attorney.
- 10) A copy of the Local Civil Rules of the United States District Court for the Northern District of Oklahoma is available upon request from the Clerk.

Instructions For Summons. (See sample attached.)

(The numbers correspond with the information requested on the form.)

- (1) Your name.
- (2) Name of the first defendant in your complaint.
- (3) Name and address of the individual defendant you wish to sue. You are reminded that you must fill out one summons with the name of each defendant you wish to sue.
- (4) Your name and address.

Instructions for USM-285 Form. (See sample attached.)

(The numbers correspond with the information requested on the form.)

- (1) Your name.
- (2) Name of the first defendant in your complaint.
- (3) Name and address of the individual defendant you wish to sue. You are reminded that you must fill out one USM-285 Form for each person (defendant) you wish to sue.
- (4) Your name and address.
- (5) Sign and check the appropriate box. Unless you sign each USM-285 Form, the Clerk will not forward it to the Marshal for service.
- (6) Fill in telephone number and date.

ATTACHED IS A SAMPLE COMPLAINT FORM.

You may make a copy of it for your use.