

Full Name/Prisoner Number \_\_\_\_\_

Complete Mailing Address \_\_\_\_\_

**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF NEW MEXICO**

Civil Action No. \_\_\_\_\_  
(To be supplied by the Court)

\_\_\_\_\_, Plaintiff(s),  
Full name(s) and prisoner number(s)  
(Do not use *et al.*)

v.

\_\_\_\_\_, Defendant(s).  
(Do not use *et al.*)

**PRISONER'S CIVIL RIGHTS COMPLAINT**

**A. PARTIES AND JURISDICTION**

1. \_\_\_\_\_ is a citizen of \_\_\_\_\_ who  
(Plaintiff) (State)

presently resides at \_\_\_\_\_  
(mailing address or place of confinement)

2. Defendant \_\_\_\_\_ is a citizen of \_\_\_\_\_  
(name of first defendant) (State)

whose address is \_\_\_\_\_,

and who is employed as \_\_\_\_\_. At the time the claim(s)  
(title and place of employment)

alleged in this complaint arose, was this defendant acting under color of state law?  
\_\_\_ Yes \_\_\_ No. If your answer is "Yes," briefly explain:

\_\_\_\_\_  
\_\_\_\_\_

3. Defendant \_\_\_\_\_ is a citizen of \_\_\_\_\_  
(name of second defendant) (State)

whose address is \_\_\_\_\_

and who is employed as \_\_\_\_\_. At the time the claim(s)  
(title and place of employment)

alleged in this complaint arose, was this defendant acting under color of state law?  
\_\_\_ Yes \_\_\_ No. If your answer is "Yes," briefly explain:

\_\_\_\_\_

(If more space is needed to furnish the above information for additional defendants, continue on a blank sheet which you should label "A. PARTIES." Be sure to include each defendant's complete address and title.)

(CHECK ONE OR BOTH:)

\_\_\_\_\_ Jurisdiction is asserted pursuant to 42 U.S.C. § 1983 (for state defendants) or *Bivens v. Six Unknown Named Agents of Fed. Bureau of Narcotics*, 403 U.S. 388 (1971) and 28 U.S.C. § 1331 (for federal defendants).

\_\_\_\_\_ Jurisdiction also is invoked pursuant to 28 U.S.C. § 1343(a)(3). (If you wish to assert jurisdiction under different or additional statutes, you may list them below.)

\_\_\_\_\_  
\_\_\_\_\_

**B. NATURE OF THE CASE**

**BRIEFLY** state the background of your case.

**C. CAUSE OF ACTION**

I allege that the following of my constitutional rights, privileges, or immunities have been violated and that the following facts form the basis of my allegations: (If more space is needed to explain any allegation or to list additional supporting facts, continue on a blank sheet which you should label "D. CAUSE OF ACTION.")

**Claim I:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Supporting Facts: (Include all facts you consider important, including names of persons involved, places, and dates. Describe exactly how each defendant is involved. State the facts clearly in your own words without citing legal authority or argument.)

**Claim II:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_

Supporting Facts:

**Claim III:** \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

Supporting Facts:

**D. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF**

1. Have you begun other lawsuits in state or federal court dealing with the same facts involved in this action or otherwise relating to the conditions of your imprisonment? \_\_\_ Yes \_\_\_ No. If your answer is "Yes," describe each lawsuit. (If there is more than one lawsuit, describe the additional lawsuits using this same format on a blank sheet which you should label "E. PREVIOUS LAWSUITS AND ADMINISTRATIVE RELIEF.")

a. Parties to previous lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

b. Name and location of court and docket number \_\_\_\_\_

c. Disposition of lawsuit. (For example, was the case dismissed? Was it appealed? Is it still pending?)

\_\_\_\_\_

d. Issues raised: \_\_\_\_\_

e. Approximate date of filing lawsuit: \_\_\_\_\_

f. Approximate date of disposition: \_\_\_\_\_

2. I previously have sought informal or formal relief from the appropriate administrative officials regarding the acts complained of in Part D. \_\_\_ Yes \_\_\_ No.

If your answer is "Yes," briefly describe how relief was sought and the results.

3. I have exhausted available administrative remedies. \_\_\_ Yes \_\_\_ No. If your answer is "Yes," briefly explain the steps taken. Attach proof of exhaustion. If your answer is "No," briefly explain why administrative remedies were not exhausted.

**E. PREVIOUSLY DISMISSED ACTIONS OR APPEALS**

1. If you are proceeding under 28 U.S.C. § 1915, please list each civil action or appeal you have brought in a court of the United States while you were incarcerated or detained in any facility that was dismissed as frivolous, malicious, or for failure to state a claim upon which relief may be granted. Please describe each civil action or appeal. If there is more than one civil action or appeal, describe the additional civil actions or appeals using this same format on a blank sheet which you should label "F. PREVIOUSLY DISMISSED ACTIONS OR APPEALS."

a. Parties to previous lawsuit:

Plaintiff(s): \_\_\_\_\_

Defendant(s): \_\_\_\_\_

b. Name and location of court and docket number \_\_\_\_\_

c. Grounds for dismissal: ( ) frivolous ( ) malicious ( ) failure to state a claim upon which relief may be granted.

d. Approximate date of filing lawsuit: \_\_\_\_\_

e. Approximate date of disposition: \_\_\_\_\_

2. Are you in imminent danger of serious physical injury? \_\_\_\_ Yes \_\_\_\_ No. If your answer is "Yes," please describe the facts in detail below without citing legal authority or argument.

**G. REQUEST FOR RELIEF**

I request the following relief:

\_\_\_\_\_

**Prisoner's Original Signature**

Original signature of attorney (if any)

\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_  
Attorney's full address and telephone

**DECLARATION UNDER PENALTY OF PERJURY**

The undersigned declares under penalty of perjury that he/she is the plaintiff in the above action, that he/she has read the above complaint and that the information contained in the complaint is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed at \_\_\_\_\_ on \_\_\_\_\_.  
(location) (date)

\_\_\_\_\_  
**Prisoner's Original Signature**