

3.02 | COMPLAIN SECTION 2: BODY OF THE COMPLAINT

The body of the complaint should contain numbered paragraphs which provide the following information.

a. Jurisdiction.

The complaint should state why the Court has jurisdiction over the case. As discussed previously, a District Court has limited authority to hear cases. It can only hear cases over which the district court has jurisdiction. Pro se litigants often file the following types of federal cases: a denial of civil rights under 42 U.S.C. § 1983; employment discrimination under 42 U.S.C. § 2000e, et seq.; and inmates challenging the conditions of their confinement. The first numbered paragraphs should also state why the court you are filing in has proper "venue" for this claim.

b. Numbered paragraphs.

The complaint must contain numbered paragraphs, with each paragraph containing a statement of those facts that are alleged to have caused the damage claimed. These allegations, or claims, should be concise and clearly written. There should be a separate numbered paragraph for each factual allegation made. Each paragraph should specify to the greatest extent possible: (i) the alleged act of misconduct; (ii) the date on which the misconduct occurred; (iii) the names of each and every individual who participated in that misconduct; (iv) the location where the alleged misconduct occurred; and (v) the connection between the misconduct and your causes of action. The statement of facts should include a description of what the defendant(s) did or failed to do and how those acts or omissions caused injury or damage, as well as a description of any injury you sustained and what medical treatment, if any, was required. It is important to be as specific as possible in stating the facts. Names, dates, and events should be described accurately and as succinctly as possible. Failure to allege facts demonstrating that each defendant was personally involved in and/or responsible for the alleged incident or harm may result in dismissal of that defendant or the case. In short, these numbered paragraphs must state the facts supporting the claim; what happened, where it happened, when it happened, how it happened, and who was involved.



c. Legal basis.

The complaint must also state the legal basis for the claim. This would be a description of how you believe the defendant(s) violated your rights, and a statement of which of your legal rights you believe the defendant(s) violated. If you are filing your lawsuit on the basis that the defendant violated a law, you must identify that law in your complaint. For example, if you believe an employer discriminated against you, you must cite to Title VII of the Civil Rights Act of 1964, as amended, 42 U.S.C. §§ 2000e, et seq..

d. Relief sought.

The complaint must state or describe the relief which is being sought. You must state what it is that you wish the Court to do. This could be requesting that the Court award money damages or issue a court order prohibiting particular conduct, directing that certain action be taken, and/or directing something the plaintiff wants the court to do to correct the situation. This information is contained in a closing or final paragraph, which is not numbered (note: this is the only paragraph in the complaint that is not numbered), outlining the relief you are asking to Court to provide.

e. Signature.

The individual(s) filing the complaint must sign and date the complaint, and underneath the signature(s), type or print their full names, addresses, and phone numbers.⁵ If there is more than one plaintiff, the complaint must contain an original signature for each plaintiff. By signing or filing the complaint you are certifying to the Court that the statements you have made in the complaint are true, and that you are not filing the complaint for an improper purpose such as to harass the defendant(s).

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Honorable Mention: USNYND, USCAND)

Footnotes

⁵ Your signature, address, and phone number must always appear on all documents filed with the Court.

