

NOTICE TO PRISONERS REGARDING REQUESTS FOR FORMS

This insert modifies the instructions for filing a civil rights case in federal court.

You have requested forms for filing a civil complaint in this Court. Based on the mandates of 28 U.S.C. §§ 1915 and 1915A, the Court will conduct an initial review of any complaint of a prisoner who either is seeking *in forma pauperis* status under § 1915 or who is suing a governmental entity, officer or employee. Because until this review is conducted, it is not certain that all of your claims against all of your defendants will remain when the Court directs service of your complaint, the Court will not send you U.S. Marshal forms and summons forms at this time. (Additionally, since at times an initial complaint may be dismissed *sua sponte* in its entirety but the Court may also grant the plaintiff leave to file an amended complaint, it makes sense for you to wait until the initial review of the complaint is completed and you know whether and on whom service is directed before you make numerous copies of your complaint.)

You will be sent the correct number of U.S. Marshal and summons forms when the Court directs service of the complaint. At that time, you should complete the forms and return them to the Court, together with the appropriate number of exact copies of your complaint, so that the U.S. Marshal may serve your summons and complaint on the defendants.

Your new action will be accepted for filing if your papers include the following:

- (1) one completed and signed complaint form,
- (2) one signed Authorization, together with a completed and signed application to proceed *in forma pauperis* (in which the prison certification section has been filled in and signed by the appropriate person in your correctional facility), and
- (3) one completed and signed Civil Cover Sheet.

All of these documents must be legible. Keep an exact copy of the complaint for yourself, so that you may use it (after the order directing service has issued) as the basis for making the correct number of copies to provide to the Court with the completed summons and U.S. Marshal forms. If you have any questions about this, please call or write the Pro Se Staff Attorneys:

United States District Court Clerk
304 U.S. Courthouse
68 Court Street
Buffalo, New York 14202-3498
(716) 551-5759

United States District Court Clerk
2120 U.S. Courthouse
100 State Street
Rochester, New York 14614-1387
(585) 263-6263

Note: The Pro Se Staff Attorneys can only provide technical and procedural information and some forms such as for filing motions and affirming service; they cannot assist you with the substantive law governing your lawsuit or give you legal advice.