

# UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF ILLINOIS

Captured 11/1/10



## PRO SE LITIGANT GUIDE

**This guide is designed to assist you if: (1) You want to file a lawsuit in federal court or you have an active role, either as a plaintiff or a defendant, in a case that you or someone else has filed already in federal court; and (2) You have elected to proceed without the assistance of a trained and licensed attorney.**

Office of the Clerk of Court  
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## I. GENERAL INFORMATION.

### A. BASIC DEFINITIONS.

The **plaintiff** and **defendant** in a court case generally are referred to as the “**parties**” or “**litigants**.” The plaintiff asserts a claim or right protected by law against the defendant; the defendant denies the claim or right. Then the court determines whether the asserted claim or right has merit. The great majority of litigants who appear in this court are represented by an attorney who has been trained in the law and is familiar with court rules and procedures. Parties who are not represented by licensed attorneys (who elect to represent themselves) are referred to as **pro se litigants** (pro se plaintiff or pro se defendant). The term “pro se” is simply a Latin phrase that means “for yourself.”

### B. HOW THIS GUIDE CAN HELP.

This guide will not answer all questions about what you need to do to represent yourself effectively as a *pro se* litigant. It simply outlines the basic steps that are required to properly file an **action** (also known as a lawsuit) in this district court. It also provides some general guidance on the next steps in the process of litigating the action once you have filed it with the Clerk of Court.

**You are responsible for learning and following the procedures that govern the court process. Although the staff of the Clerk’s Office can provide general information concerning court rules and procedures, staff is forbidden as a matter of law from providing legal advice, from interpreting and applying court rules, or otherwise participating, directly or indirectly, in any action.**

### C. THE RISKS INVOLVED IN REPRESENTING YOURSELF.

Self-representation carries certain responsibilities and risks that a *pro se* litigant should know before proceeding. The court encourages all individuals who are thinking about self-representation to carefully review the risks associated with self-representation and to be aware of the potential consequences. Rule 11 of the Federal Rules of Civil Procedure prohibits the filing of lawsuits that are clearly frivolous or filed merely to harass someone. If, after reviewing your complaint, a judge determines that you have filed a lawsuit for an improper or clearly unnecessary purpose, it may impose sanctions against you, including ordering you to pay a fine to the court or to pay the legal fees of the person or persons against whom you filed the lawsuit.

## II. IMPORTANT ISSUES.

You should consider these important issues before you decide to represent yourself in an action before this district court:

### A. IS THIS COURT THE APPROPRIATE COURT TO HEAR YOUR DISPUTE?

Federal courts can only decide limited kinds of cases. The United States District Court for the Southern District of Illinois is one of 94 trial courts in the federal court system. A federal trial court is authorized to hear disputes that fall into the following four categories only:

- Those that deal with a question involving the United States Constitution;
- Those that involve questions of federal law, as opposed to state law;
- Those that involve the United States of America as a party, whether as plaintiff or defendant; and
- Those that involve a dispute among citizens of different states when the amount in controversy exceeds \$75,000.00, exclusive of interest and costs. (Note: A person is a citizen of the state where he or she is physically present with an intent to remain there indefinitely.)

**If your complaint does not fall under any of these categories,  
you should not file it in federal court. Instead, you should contact the Circuit  
Court in the county in which you live.**

### B. IF THE CASE CAN BE FILED IN FEDERAL COURT, IS IT THE TYPE OF CASE IN WHICH LITIGANTS TYPICALLY REPRESENT THEMSELVES?

A litigant may appear *pro se* in any case that is properly within the jurisdiction of this court. There are five categories of cases that are most often filed by *pro se* litigants:

- Cases alleging denial of civil rights under Title 42, United States Code, Section 1983, that are not filed by prisoners;
- Cases alleging denial of civil rights under Title 42, United States Code, Section 1983, filed by persons who are in jail or prison and who challenge their sentences or conditions of confinement;
- Cases alleging a tort claim which is an injury to an individual (note that tort claims brought in federal court are subject to strict jurisdictional requirements);

- Cases alleging employment discrimination under Title 42, United States Code, Section 2000(e); and
- Cases seeking judicial review of a decision by the Commissioner of Social Security.

**C. IS THERE AN ALTERNATIVE TO REPRESENTING YOURSELF THAT IS AFFORDABLE?**

Most people who file and pursue litigation in federal court employ a licensed, practicing attorney who has appeared in court and is familiar with the rules of procedure that govern the court process. If you would prefer to have an attorney represent you but you are unable to afford one, you should consider contacting one of the following:

**Illinois Lawyer Finder:** (217) 525-5297 or toll free (800) 922-8757  
[www.illinoislawyerfinder.com](http://www.illinoislawyerfinder.com)

**Land of Lincoln Legal Assistance:** (618) 394-7300 or toll free (877) 342-7891  
[www.lollaf.org](http://www.lollaf.org)

These agencies can explain the various options for obtaining and paying for legal services.

**D. WHAT IF YOU CANNOT FIND AN ATTORNEY TO TAKE YOUR CASE?**

If you cannot find an attorney to represent you, you have the right to pursue your claims in the district court by appearing without representation. Remember, however, that as a *pro se* litigant, you are representing only yourself and presenting only your claims or defenses. Under the law, you cannot speak for another person, a company, or an entity (such as a club or association that includes other individuals). When you appear *pro se*, you must follow the same rules and procedures that licensed attorneys who practice in this court must follow. Generally, judges hold *pro se* litigants to the same standards of professional responsibility as trained attorneys.

*Pro se* litigants may also ask the court to appoint an attorney (also called “counsel”) for them in a civil case. *Pro se* litigants have no right to be represented by court-appointed counsel, and the court has no obligation to appoint counsel. The court will appoint counsel in a few select cases where having an attorney seems particularly appropriate or important. You must first demonstrate that you have tried to find counsel to represent you but have been unsuccessful (and provide documentation of your efforts). If you would like to request that the court appoint counsel to represent you in your lawsuit, you must file a motion for appointment of counsel with the court. The motion should be filed at the time you file the complaint. A copy of a motion for appointment of counsel is attached in the Appendix Section.

## **E. WHAT COURT FEES AND COSTS ARE YOU REQUIRED TO PAY?**

The fees charged by the United States District Court, Southern District of Illinois, are as follows:

Filing a complaint and opening of a civil case:	\$350.00
Filing a notice of appeal:	\$455.00
Copies of documents, per page:	\$ .50
Copies of any record or document accessed electronically at a public terminal in the Clerk's Office:	\$ .10
Certification of a document from a court file:	\$ 9.00

These fees may be paid with a money order, check, or major credit card.

If you are unable to pay the filing fee, you may apply for permission to proceed *in forma pauperis*, a Latin phrase for “in the form of a pauper”. Information on filing *in forma pauperis* is discussed below, and a sample motion to proceed *in forma pauperis* is located in the Appendix Section. These forms are also available in the Clerk's Office and on the court's website, [www.ilsd.uscourts.gov](http://www.ilsd.uscourts.gov). Completed motions are forwarded to a judge for review. If your motion is denied, your case cannot proceed until you pay the filing fee. If the fee is not paid, the case will be dismissed.

Waiver of the filing fee does not automatically waive the other costs associated with pursuing or litigating your case. If, for example, you need copies of documents in your case, the Clerk's Office is required to charge a fee per page for those documents as set forth above. Service of your complaint on the other party will entail additional costs unless you have made (and the court has approved) a motion that the United States Marshal serve your complaint.

## **F. WHAT IF YOU CANNOT AFFORD TO PAY THE FEES?**

As noted above, filing a case in this court requires the plaintiff to pay a \$350.00 filing fee at the time the new case is filed. If you are unable to pay this fee, you may apply to have the fee waived. Bear in mind that you can apply for waiver of the fee only after your action is filed. The Clerk's Office will accept your case without payment if, at the time you file it, you also apply for waiver of the fee by filing a motion to proceed *in forma pauperis* as discussed below. If the judge subsequently denies your motion, you will be required to pay the \$350.00 fee; if you do not pay it within a specified period of time, your case will be dismissed.

The application process requires that you complete and submit a motion to proceed *in forma pauperis*. A sample of this motion is attached in the Appendix Section. The Clerk's Office will provide the case number. You must answer all questions truthfully and completely. If you own real estate or automobiles that have outstanding mortgages or loans, you should be very specific about your debt balance so the judge who reviews the motion has accurate information as to the property's value. You also must sign the statement under penalty of perjury.

The completed motion should be submitted to the Clerk's Office with your complaint. Clerk's Office staff will transmit the motion, along with the complaint, to the judge for review. The judge may grant or deny the motion. Because this process may take some time, a copy of the order will be mailed to you by the Clerk's Office. As noted above, if your motion is denied, you must pay the filing fee within the time period specified or your case will be dismissed.

**G. WHERE CAN YOU FIND THIS COURT'S RULES OF PROCEDURE AND APPLICABLE FEDERAL LAWS IF PROCEEDING PRO SE?**

As a *pro se* litigant, you should be familiar with the Federal Rules of Procedure. These rules set forth the procedural requirements for litigating cases in all federal courts. As a *pro se* litigant in a **civil** case, you should be familiar with the Federal Rules of Civil Procedure (abbreviated as Fed.R.Civ.P) and the Federal Rules of Evidence (abbreviated F.R.E.). If you are a *pro se* defendant in a **criminal** case, you should familiarize yourself with the Federal Rules of Criminal Procedure (abbreviated as Fed.R.Crim.P.) and the Federal Rules of Evidence. Federal laws are found in the United States Code (abbreviated U.S.C.). These rules and laws are available for review at law libraries. You may also access the federal rules on the internet at [www.uscourts.gov/rules](http://www.uscourts.gov/rules). There is a law library located on the third floor of the East St. Louis courthouse. The librarian can be reached at (618) 482-9477.

As a *pro se* litigant in this district court, you should also be familiar with the Local Rules for the Southern District of Illinois (SDIL-LR). A paper bound version of the Local Rules can be purchased at the Clerk's Office at either the East St. Louis or Benton locations for \$3.00. For more information, please call the Clerk's Office in East St. Louis at (618) 482-9371 or in Benton at (618) 439-7760. You may also view these Rules at our website, [www.ilsd.uscourts.gov](http://www.ilsd.uscourts.gov).

**III. HOW DO YOU START A NEW CIVIL CASE?**

**A. FILE A COMPLAINT.**

A case begins when a plaintiff, the person bringing the lawsuit, files a complaint. The complaint is the document in which the plaintiff asserts the claim(s) or rights(s) being violated and outlines the problem or reason for the lawsuit. The complaint can be filed by hand-delivering or mailing it to the Clerk's Office at either of the two addresses listed below:

**United States District Court**  
**750 Missouri Avenue**  
**East St. Louis, IL 62201**

**United States District Court**  
**301 W. Main Street**  
**Benton, IL 62812**

Whether you deliver or mail your complaint, you must submit the following:

- The original complaint with your full name, address, and telephone number.
- The \$350.00 filing fee or a motion to proceed *in forma pauperis* if you cannot afford to pay the filing fee. Note: the subject of fees and how to seek *in forma pauperis* status is discussed above.

The complaint will be given a case number and assigned to a district judge by the Clerk's Office. If you would like a file-marked copy of the complaint (or any other pleading) returned to you, please provide an additional copy at the time you file the original.

## **B. SERVE THE COMPLAINT.**

Each defendant (the person whom the plaintiff claims is responsible for the claim or problem) must be notified of the lawsuit through a process that is specified under law. The responsibility for notifying each defendant rests with the plaintiff and is referred to as **service of process**. The provisions for service of process are described in Rule 4 of the Federal Rules of Civil Procedure. If the service of process requirements are not followed correctly, the case can be dismissed.

**You have 120 days after the complaint is filed to serve the complaint upon the defendant(s). It is your responsibility to properly serve the complaint. If you fail to do so within 120 days, your case may be dismissed.**

The defendant shall be notified of the lawsuit either by service of a summons or by waiver of service. The summons and waiver of service forms may be obtained from the Clerk's Office. Again, detailed provisions on how to serve a defendant are contained in **Rule 4** of the **Federal Rules of Civil Procedure**. You should carefully review this rule. The service of process requirements can be satisfied in one of three ways.

1. **Personal Service:** If you choose to satisfy the service of process requirements by personal service, you will direct someone else to deliver or serve a copy of the complaint and summons on the defendant(s). Personal service can be performed by anyone who is at least 18 years old and who is not a party in the case. Sheriff's Departments and private process servers will do this for a fee.

You should first contact the Clerk of Court to obtain a summons form for *each defendant* listed in your complaint. You will then fill in the necessary information on the form, including a complete name and address for the

defendant who will be served with the summons. After you complete the summons form, the Clerk of Court will officially **issue** the summons; this simply means that an authorized court employee will sign the form and emboss it with the official seal of the court. The summons and complaint are then ready for service.

The person who serves the summons must record on the back of the summons form his or her name, the name of the person who was served, and the date and time of service. This section of the summons form is referred to as the **return of service**, and if it is not completed, service of process is not complete. Rule 4(l) requires confirmation that service has been completed. Such confirmation or **proof** that the documents have been served on the defendant(s) requires that the original summons form with the return of service completed be returned to the court and that a copy of the form be left with the defendant.

2. **Waiver of Service:** Rule 4(d) permits a defendant to **waive** personal service of process. That means the defendant agrees to respond to your complaint without being served with a summons but accepts a copy of the complaint by mail. The Clerk's Office can provide you with a waiver of service of summons form. You must mail two copies of the waiver of service of summons form, a copy of the complaint, and a pre-paid means for returning the waiver form to you (i.e., a self-addressed, stamped envelope) to each defendant named in your lawsuit. If a defendant completes and returns the waiver, you will be spared the burden of personal service on that defendant.
3. **Service by a Marshal of Someone Specially Appointed:** You may ask the judge to order that service be made by a United States marshal or deputy marshal or by a person specially appointed by the court (at the government's expense). You must, however, make such a request by formal written **motion**. An example of this motion is attached in the Appendix Section.

Once a defendant has been served with a copy of the complaint, the defendant must file with the court an **answer** or some other response within a specified number of days. Under the rules governing service of process, each defendant is required to provide a copy of the response on the plaintiff.

## IV. WHAT HAPPENS NEXT?

After the complaint has been filed and served and the defendants have responded to the complaint, any one of a number of different procedures may occur.

1. **Referral to a Magistrate Judge:** You will be sent a form asking whether you consent to have your case decided by a magistrate judge. Although a magistrate judge may handle preliminary matters, the case will be decided by the district judge assigned to the case unless all parties consent to trial by

magistrate judge.

2. **Motion Practice:** Either party (plaintiff or defendant), may request that the court take specific action related to the case. To do so, the party prepares a formal request or what is referred to as a **motion**. **Local Rule 5.1** provides information on the preferred form and style of motions in this court. The party then signs the motion, submits it or **files** it with the Clerk of Court and sends a copy to the opposing party. The opposing party may file with the Clerk of Court a **response** to the motion. The response sets forth the reasons why the court should deny rather than grant the motion. **Local Rule 7.1** sets forth the deadlines and page limitations that apply to motions (see box below concerning the distinction between dispositive and non-dispositive motions). After a response (and sometimes a reply) is filed, the district judge or magistrate judge may schedule a hearing to provide the parties with an opportunity to argue the motion and the objections. Or, the judge may decide a hearing is unnecessary and rule on the motion by issuing a written order that either grants or denies (in whole or in part) the relief sought in the motion.

**Dispositive vs. Non-Dispositive Motions:**

Motions fall into two categories: dispositive and non-dispositive.

**Dispositive** motions, if granted, end the case; **non-dispositive** motions, if granted, affect the case but do not end it. District judges have the authority to rule on both kinds of motions; magistrate judges are authorized to rule on non-dispositive motions only, except on cases consented to them.

3. **Magistrate Judge Report and Recommendation:** When a case is assigned to a district judge and one of the parties files a dispositive motion, the magistrate judge is authorized to prepare a written **Report and Recommendation**, essentially a recommendation that the motion be granted or denied and the reason(s) why. This Report and Recommendation is filed by the magistrate judge, and copies are sent to the parties. You have only **14 days** to file objections to the Report and Recommendation and **14 days** to respond to another party's objections (after you receive a copy). All timely objections and responses are reviewed by the district judge along with the Report and Recommendation. The district judge then will issue an order that adopts, rejects, or adopts in part and/or rejects in part the magistrate judge's report and recommendation. When the district judge's order dismisses the case, the Clerk of Court will prepare and enter a **judgment** in the case. Such judgment is final and can be appealed only to the United States Circuit of Appeals for the Seventh Circuit in Chicago, Illinois. See **Local Rule 73.1** concerning the procedure for review of non-dispositive orders and proposed dispositive findings.

## V. HOW DO YOU SUBMIT DOCUMENTS TO THE COURT?

Case related documents that ask the court to take specific action are referred to as **motions** or pleadings. If, for example, you want to ask the court to do something, such as appoint an attorney, you must do so by means of a written motion. A motion should be supported by a summary of the law supporting the motion called a **memorandum** and/or by an affidavit or declaration of the movant that provides the court with facts that support the motion. In preparing a motion, you should follow the same general format as the sample motions attached to this Guide in the Appendix Section. When preparing a motion, you should be as specific as possible about the action you would like the court to take.

You only need to submit the original of any motion or other pleading you wish to file with the Clerk of Court, but you should always retain a copy for yourself. When you file documents in person, bring an additional copy with you so that it can be file-stamped and you can keep a copy for your records. By keeping a copy, your records will reflect the filing date of the original. If extra copies are submitted to the court, file-marked copies will be returned if a self-addressed stamped envelope is sent to the Clerk of Court with the original pleading.

The Clerk's Office has two locations:

**United States District Court**  
**750 Missouri Avenue**  
**East St. Louis, IL 62201**  
**(618) 482-9371**

**United States District Court**  
**301 West Main Street**  
**Benton, IL 62812**  
**(618) 439-7760**

Hours are 9:00 am to 4:30 pm Monday through Friday, excluding all federal holidays.

**When you submit a pleading to the court, you also must mail or deliver a copy of the pleading to the defendant's attorney or, if the defendant has no attorney, to the defendant. At the end of your pleading, you must include a certificate of service that states the date that you mailed or delivered a copy of the pleading to the defendant. A sample form for a certificate of service is in the Appendix Section.**

## VI. HOW DO YOU OBTAIN INFORMATION ABOUT THE STATUS AND PROGRESS OF YOUR CASE?

The Clerk's Office maintains an automated record or **docket** for every case. This docket is a chronological listing of all documents that have been filed in a case. You may review the docket on the public access terminal located at the intake area of each Clerk's Office. Clerk's Office staff may provide basic docket information over the telephone.

## VII. IS IT POSSIBLE TO SPEAK DIRECTLY TO A JUDGE OR MEMBER OF HIS STAFF ABOUT YOUR CASE?

As a party appearing *pro se*, you are prohibited from all private (also called **ex parte**) communications with the judge to whom your case is assigned. Ex parte communication occurs when one of the parties to a lawsuit exchanges information with the assigned judge (a) without the opposing party being present; or (b) without the knowledge and consent of the opposing party.

With few exceptions, because of this prohibition, a judge will refuse to speak or otherwise communicate ex parte with any party to a case that is assigned to him. Any communication between the assigned judge and a *pro se* litigant should be in writing, and a copy of the communication should be sent either to the opposing party or that party's attorney. For example, a party appearing *pro se* should send to the opposing party a copy of any letter sent to the judge. The letter to the judge should also indicate that a copy has been sent to the opposing party. As noted above, telephone or personal contact with the judge's staff should be limited to specific scheduling inquiries.

## VIII. WHAT HAPPENS IF YOUR CASE IS DISMISSED?

If the judge dismisses your claims "on the merits" or "with prejudice" and/or enters judgment, you may appeal to the United States Court of Appeals for the Seventh Circuit in Chicago, Illinois, by filing a **notice of appeal**. In general, a notice of appeal must be filed within **30 days** after the judgment or order appealed from is entered. As set forth above, the fee for filing a notice of appeal is \$455.00. The notice of appeal is filed (and the fee paid) in the district court. If you are unable to pay the filing fee for an appeal, you may apply for permission to proceed *in forma pauperis* on appeal. A form for this request is available at the Seventh Circuit's website, [www.ca7.uscourts.gov](http://www.ca7.uscourts.gov), or you may contact the district court Clerk's Office for a copy of the form.

## **APPENDIX OF FORMS**

UNITED STATES DISTRICT COURT  
for the  
Southern District of Illinois

\_\_\_\_\_) )  
Plaintiff(s) ) )  
v. ) Case Number: \_\_\_\_\_ )  
\_\_\_\_\_) )  
Defendant(s) ) )

**MOTION FOR APPOINTMENT OF COUNSEL**

**NOTE: Failure to complete all items in this form may result in the denial of this motion.**

1. I, \_\_\_\_\_, declare that I am the (check appropriate box)  
 plaintiff  defendant in this proceeding, I am unable to afford the services of an attorney, and I request that the Court appoint counsel to represent me in this proceeding.

2. In support of my motion, I declare that I have contacted the following attorneys/organizations seeking representation in this case: **(This item must be completed, and you should attach documentation showing that you have asked several attorneys to represent you in this case.)**

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

but, I have been unable to find an attorney because:

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

3. In further support of my motion, I declare that (check appropriate box):

I am not currently and previously have not been represented by an attorney appointed by the Court in this or any other civil or criminal proceeding before this Court.

I am currently, or previously have been, represented by an attorney appointed by the Court in the proceeding(s) described on the back of this page.

4. In further support of my motion, I declare that (check appropriate box):

I have attached an original Application for Leave to Proceed *In Forma Pauperis* in the proceeding detailing my financial status.

I have previously filed an Application for Leave to Proceed *In Forma Pauperis* in this proceeding, and it is a true and correct representation of my current financial status.

I have previously filed an Application for Leave to Proceed *In Forma Pauperis* in this proceeding, however, my financial status has changed. I have attached an Amended Application to Proceed *In Forma Pauperis* showing my current financial status.

5.  (Check one box) In further support of my motion, I declare that my highest level of education is:
- Grammar school only       Some high school       High school graduate
- Some college       College graduate       Post-graduate

6.  (Check **only** if applicable) In further support of my motion, I declare that my ability to speak, write, and/or read English is limited, because English is not my primary language OR because:
- 

7. I declare under penalty of perjury that the foregoing is true and correct.

---

Movant's Signature

---

Street Address

---

Date

---

City, State, Zip

As indicated in paragraph three on the preceding page, I am currently, or previously have been, represented by an attorney by this Court in the civil or criminal actions listed below.

Assigned Judge: _____ Case Number: _____
Case Title: _____
Appointed Attorney Name: _____
If this case is still pending, please check box <input type="checkbox"/>

Assigned Judge: _____ Case Number: _____
Case Title: _____
Appointed Attorney Name: _____
If this case is still pending, please check box <input type="checkbox"/>

Assigned Judge: _____ Case Number: _____
Case Title: _____
Appointed Attorney Name: _____
If this case is still pending, please check box <input type="checkbox"/>

UNITED STATES DISTRICT COURT

for the

Southern District of Illinois

Plaintiff(s) v. Defendant(s) Case Number: \_\_\_\_\_

MOTION AND AFFIDAVIT TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS

I am a plaintiff or petitioner in this case and declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief requested.

In support of this application, I answer the following questions under penalty of perjury:

1. If incarcerated. I am being held at: \_\_\_\_\_

I have attached to this document a statement certified by the appropriate institutional officer showing all receipts, expenditures, and balances during the last six months for any institutional account in my name. I am also submitting a similar statement from any other institution where I was incarcerated during the last six months. NOTE: You must have an authorized institutional officer complete the last page of this form.

2. If not incarcerated. If I am employed, my employer's name and address are:

My gross pay or wages are: \$ \_\_\_\_\_, and my take-home pay or wages are: \$ \_\_\_\_\_ per (specify pay period) \_\_\_\_\_.

3. Other Income. In the past 12 months, I have received income from the following sources (check all that apply):

- (a) Business, profession, or other self-employment [ ] Yes [ ] No
(b) Rent payments, interest, or dividends [ ] Yes [ ] No
(c) Pension, annuity, or life insurance payments [ ] Yes [ ] No
(d) Disability or worker's compensation payments [ ] Yes [ ] No
(e) Gifts or inheritances [ ] Yes [ ] No
(f) Any other sources [ ] Yes [ ] No

If you answered "Yes" to any question above, describe below or on separate pages each source of money and state the amount that you received and what you expect to receive in the future.

4. Amount of money that I have in cash or in a checking or savings account: \$ \_\_\_\_\_ .

5. Any automobile, real estate, stock, bond, security, trust, jewelry, art work, or other financial instrument or thing of value that I own, including any item of value held in someone else's name (*describe the property and its approximate value*):

6. Any housing, transportation, utilities, or loan payments, or other regular monthly expenses (*describe and provide the amount of the monthly expense*):

7. Names (or, if under 18, initials only) of all persons who are dependent on me for support, my relationship with each person, and how much I contribute to their support:

8. Any debts or financial obligations (*describe the amounts owed and to whom they are payable*):

***Declaration:*** I declare under penalty of perjury that the above information is true. I understand that a false statement may result in a dismissal of my claims.

Date: \_\_\_\_\_

\_\_\_\_\_  
*Movant's signature*

\_\_\_\_\_  
*Printed name*

**CERTIFICATION**

(TO BE COMPLETED BY AN AUTHORIZED INSTITUTIONAL OFFICER)

Plaintiff/Petitioner: \_\_\_\_\_

Institution: \_\_\_\_\_

Register Number: \_\_\_\_\_

I, \_\_\_\_\_, hereby certify that the  
(Name and Title of Authorized Officer - please print)

inmate identified above currently has the sum of \$ \_\_\_\_\_ on account at

\_\_\_\_\_  
(Institution where confined)

\_\_\_\_\_  
Signature of Authorized Officer

Dated: \_\_\_\_\_

**PURSUANT TO 28 U.S.C. § 1915(a)(2),  
PLEASE ATTACH A COPY OF THE INMATE'S  
TRUST FUND ACCOUNT STATEMENT  
FOR THE PAST SIX MONTHS.**

**Please mail the statement and this completed form to:**

Clerk of Court  
United States District Court  
Southern District of Illinois  
P.O. Box 249  
East St. Louis, IL 62201

UNITED STATES DISTRICT COURT  
for the  
Southern District of Illinois

<i>Plaintiff(s)</i>	)	
v.	)	Case Number: _____
<i>Defendant(s)</i>	)	

**MOTION FOR SERVICE OF PROCESS**  
**AT GOVERNMENT EXPENSE**

Plaintiff, \_\_\_\_\_, moves pursuant to Federal Rule of Civil Procedure 4(c)(3), for the court to order that service of process be made by a United States marshal or deputy marshal or by a person specially appointed by the court. The full name and address of the defendant(s) are identified in the complaint

Dated: \_\_\_\_\_

\_\_\_\_\_  
Signature

\_\_\_\_\_  
Printed Name

