

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF ALABAMA

INSTRUCTIONS FOR FILING A COMPLAINT FOR  
USE IN EMPLOYMENT DISCRIMINATION CASES

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READ CAREFULLY  
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1. This packet consists of:
  - 1 copy of an EEOC complaint form
  - 1 copy of a summons form
  - 1 copy of an in forma pauperis motion
2. Your complaint must be clearly handwritten or typewritten and signed by each plaintiff. ALL copies of the complaint must be identical in wording to the original. It is not necessary to swear to the complaint under oath before a notary public. However, each plaintiff must attest under penalty of perjury that the complaint is true and correct. You are warned that any false statement of a material fact may subject you to prosecution and conviction.
3. The Notice-of-Right-to-Sue letter issued by the EEOC must be attached to your complaint.
4. All questions must be answered concisely in the proper space on the form. If you need additional space to answer a question, you may use the reverse side of the form or use an additional blank page. **YOUR COMPLAINT SHOULD NOT CONTAIN LEGAL ARGUMENTS OR CITATIONS – YOU ARE ONLY REQUIRED TO GIVE FACTS.** You must describe how each defendant is personally involved in the activities upon which your claim is based. Also, include any request for a jury trial.
5. Upon receipt of the \$350.00 filing fee & \$55.00 administrative fee, your complaint will be filed. If you are unable to pay the filing fee, you may petition the court to proceed in forma pauperis. If you must proceed in forma pauperis, you must complete, sign, and attest as true and correct under penalty of perjury the petition and financial affidavit. If there is more than one plaintiff, then each plaintiff must complete a separate petition.
6. If you pay the \$350.00 filing fee & \$55.00 administrative fee, you must also fill out 2 summons forms for each defendant you name in your complaint. Also, provide envelopes per defendant and postage for certified mail, return receipt requested and have the postage affixed to the envelopes.
7. It is YOUR responsibility to notify the Clerk's Office in writing of ANY change of address you may have during the entire time this case remains open before the court. Failure to so advise the Clerk of your current address may result in the DISMISSAL of your case.
8. When these forms are properly completed, mail them to the clerk's office.
9. Your complaint will not be considered unless it conforms to these instructions.

**IN THE UNITED STATES DISTRICT COURT  
FOR THE MIDDLE DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION**

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
PLAINTIFF

v.

CASE ACTION NO.: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
DEFENDANT

JURY DEMAND (MARK ONE)

YES       NO

**EEOC COMPLAINT**

1. Plaintiff resides at \_\_\_\_\_

2. Defendant(s)' name(s) \_\_\_\_\_  
\_\_\_\_\_

Location of principal office(s) of the named defendant(s) \_\_\_\_\_  
\_\_\_\_\_

Nature of defendant(s)' business \_\_\_\_\_  
\_\_\_\_\_

Approximate number of individuals employed by defendant(s) \_\_\_\_\_

3. This action is brought pursuant to Title VII of the Civil Rights Act of 1964 for employment discrimination. Jurisdiction is specifically conferred on the Court by 42 U.S.C. §2000e-5. Equitable and other relief are also sought under 42 §2000e-5(g).

4. The acts complained of in this suit concern:

- 1.    \_\_\_ Failure to employ me.
- 2.    \_\_\_ Termination of my employment.
- 3.    \_\_\_ Failure to promote me.
- 4.    \_\_\_ Other acts as specified below: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

5. Plaintiff is:  
A.  Presently employed by the defendant.  
 Not presently employed by the defendant. The dates of employment were \_\_\_\_\_ Employment was terminated because:

- (1)  Plaintiff was discharged.
- (2)  Plaintiff was laid off.
- (3)  Plaintiff left job voluntarily.

6. Defendant(s)' conduct is discriminatory with respect to the following:

- A.  My race.
- B.  My religion.
- C.  My sex.
- D.  My national origin.
- E.  Other, as specified below: \_\_\_\_\_

\_\_\_\_\_

7. The name(s), race, sex, and the position or title of the individual(s) who allegedly discriminated against me during the period of my employment with the defendant company is (are) \_\_\_\_\_

\_\_\_\_\_

8. The alleged discrimination occurred on or about \_\_\_\_\_.

9. The nature of my complaint, i.e., the manner in which the individual(s) named above discriminated against me in terms of the conditions of my employment, is as follows:

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

10. The alleged illegal activity took place at \_\_\_\_\_

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

11. I filed charges with the Equal Employment Opportunity Commission regarding defendant(s)' alleged discriminatory conduct on or about \_\_\_\_\_.  
I have attached a copy of the Notice-of-Right-to-Sue letter issued by the Equal Employment Opportunity Commission. The letter was received by me on \_\_\_\_\_.

12. I seek the following relief:

- A. \_\_\_\_\_ Recovery of back pay.
- B. \_\_\_\_\_ Reinstatement to my former job, and any other relief as may be appropriate, including injunctive orders, damages, costs, and attorneys fees.

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

\_\_\_\_\_  
Signature of Plaintiff

\_\_\_\_\_  
\_\_\_\_\_  
Address & Telephone Number of Plaintiff

IN THE UNITED STATES DISTRICT COURT FOR THE  
MIDDLE DISTRICT OF ALABAMA  
\_\_\_\_\_ DIVISION

\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)

Plaintiff(s)

v.

\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)  
\_\_\_\_\_)

Defendant(s)

**MOTION TO PROCEED IN FORMA PAUPERIS**

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

moves this Honorable Court for an order allowing her/him to proceed in this case without prepayment of fees, costs, or security therefor, and for grounds therefor submits the attached sworn affidavit in support of the motion.

\_\_\_\_\_  
Plaintiff(s) signature

UNITED STATES DISTRICT COURT
for the

Plaintiff
v.
Defendant
Civil Action No.

APPLICATION TO PROCEED IN DISTRICT COURT WITHOUT PREPAYING FEES OR COSTS
(Short Form)

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:
If employed there, or have an account in the institution, 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.

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

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
(b) Rent payments, interest, or dividends
(c) Pension, annuity, or life insurance payments
(d) Disability, or worker's compensation payments
(e) Gifts, or inheritances
(f) Any other sources

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 and understand that a false statement may result in a dismissal of my claims.

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

\_\_\_\_\_  
*Applicant's signature*

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

UNITED STATES DISTRICT COURT

for the

Plaintiff v. Defendant Civil Action No.

SUMMONS IN A CIVIL ACTION

To: (Defendant's name and address)

A lawsuit has been filed against you.

Within 21 days after service of this summons on you (not counting the day you received it) — or 60 days if you are the United States or a United States agency, or an officer or employee of the United States described in Fed. R. Civ.P. 12 (a)(2) or (3) — or 90 days in a Social Security action — you must serve on the plaintiff an answer to the attached complaint or a motion under Rule 12 of the Federal Rules of Civil Procedure. The answer or motion must be served on the plaintiff or plaintiff's attorney, whose name and address are:

If you fail to respond, judgment by default will be entered against you for the relief demanded in the complaint. You also must file your answer or motion with the court.

TREY GRANGER, CLERK OF COURT

Date:

Signature of Clerk or Deputy Clerk



Civil Action No. \_\_\_\_\_

**PROOF OF SERVICE**

*(This section should not be filed with the court unless required by Fed. R. Civ. P. 4(1))*

This summons for *(name of individual and title, if any)* \_\_\_\_\_  
was received by me on *(date)* \_\_\_\_\_ .

I personally served the summons on the individual at *(place)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I left the summons at the individual's residence or usual place of abode with *(name)* \_\_\_\_\_  
\_\_\_\_\_, a person of suitable age and discretion who resides there,  
on *(date)* \_\_\_\_\_ , and mailed a copy to the individual's last known address; or

I served the summons on *(name of individual)* \_\_\_\_\_ , who is  
designated by law to accept service of process on behalf of *(name of organization)* \_\_\_\_\_  
\_\_\_\_\_ on *(date)* \_\_\_\_\_ ; or

I returned the summons unexecuted because \_\_\_\_\_ ; or

Other *(specify)*: \_\_\_\_\_ .

My fees are \$ \_\_\_\_\_ for travel and \$ \_\_\_\_\_ for services, for a total of \$ \_\_\_\_\_ .

I declare under penalty of perjury that this information is true.

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

\_\_\_\_\_  
*Server's signature*

\_\_\_\_\_  
*Printed name and title*

\_\_\_\_\_  
*Server's address*

Additional information regarding attempted service, etc: