

## District Court of the Virgin Islands

Instructions for filing a *Pro Se* Prisoner Civil Rights Complaint under  
42 U.S.C. § 1983 or 28 U.S.C. § 1331/*Bivens v. Six Unknown Federal Narcotics Agents*

### THE FOLLOWING FORMS MUST BE COMPLETED AND RETURNED TO THE CLERK OF COURT:

#### Civil Cover Sheet (Form JS 44) & Complaint (Form VI-P-CR)

1. The complaint must be legibly handwritten or typewritten.
2. The complaint **SHOULD NOT** include legal arguments or citations. You are required to provide only the facts.
3. All questions must be answered concisely in the proper space provided in the complaint. Additional pages are not permitted except with respect to the following: (1) the naming of additional defendants; (2) the identification of five or more claims; and (3) the identification of additional grounds for relief; and (4) facts upon which you rely to support your grounds for relief.

#### Summons (Form VI-AO 440)

1. Prepare a summons form for each defendant named in the complaint. The Court cannot prepare your summonses.
2. Page one directs you to provide the following:
  - a. your name and the defendant's name in the caption;
  - b. the defendant's address; and
  - c. your name and address.
3. DO NOT fill in any other part of the summons.

#### Motion for Prisoners to Proceed in District Court Without Prepaying Fees or Costs in a Civil Rights Action (Form VI-AO 240-P-CR)

1. If you are unable to pay the \$400 filing fee, you may petition the Court to proceed *in forma pauperis* (as a poor person) by submitting Form VI-AO 240-P-CR. If the Court grants your request, you will be permitted to pay the filing fee in installments per the assessment procedure set forth in 28 U.S.C. § 1915(b).
2. You **MUST** attach a certified copy of your inmate or prison trust account statement for the 6-month period immediately preceding the filing of the complaint.

### MAILING REQUIREMENTS

The following should be mailed to the appropriate address below:

1. Civil Cover Sheet (Form JS 44) – Submit one properly completed form.
2. Complaint (Form VI-P-CR) – You must submit an original and one copy for each defendant you name. For example, if you name two defendants you must file the original and two copies of the complaint.
3. Summons (Form VI-AO 440) – You must submit an original and two copies for each defendant named in the complaint.
4. One of the following:
  - \$400 filing fee – check or money order made payable to Clerk, District Court of the Virgin Islands; or
  - Motion for Prisoners to Proceed in District Court Without Prepaying Fees or Costs in a Civil Rights Action (Form VI-AO 240-P-CR)

Clerk, U.S. District Court  
District Court of the Virgin Islands  
**St. Thomas/St. John Division**  
5500 Veterans Drive, Rm 310  
St. Thomas, VI 00802

Clerk, U.S. District Court  
District Court of the Virgin Islands  
**St. Croix Division**  
3013 Estate Golden Rock, Suite 219  
St. Croix, VI 00820

**NOTE:** The Clerk will forward copies of the summonses and of the complaint to the United States Marshal, who is responsible for service, **only upon direction from the Court**. The Prison Litigation Reform Act ("PLRA") requires the Court to review a complaint in a civil action in which a prisoner is proceeding *in forma pauperis* or seeks redress against a governmental employee or entity. 28 U.S.C. §§ 1915(e)(2)(b) and 1915A. Specifically, the PLRA directs the Court to screen the complaint for cognizable claims and to *sua sponte* dismiss any claim that is frivolous, malicious, fails to state a claim upon which relief may be granted, or seeks monetary relief from a defendant who is immune from such relief.