



United States District Court
Southern District of New York

FILING A COMPLAINT

This guide is intended to be a summary of basic procedures for filing a complaint. The statements in this guide do not constitute legal advice and may not be cited as legal authority. This guide does not take the place of the Federal Rules of Civil Procedure, this court's Local Civil Rules, or the individual rules of practice and orders of the judges of this court. Parties using this guide remain responsible for complying with all applicable rules of procedure.

Completing a Complaint

- **Caption.** The caption is in the top left corner on the first page of the complaint. You, as the person filing the complaint, are the plaintiff. The people or entities you allege are responsible for your injuries should be named as the defendants. You should give the full name of each defendant, even if that defendant is a government agency, an organization, or a corporation. You should state the first and last name of individual defendants, and include each defendant's badge number, if appropriate.
- **Doe Defendants.** If you do not know the name of a defendant, you should name him or her as "John Doe" or "Jane Doe" and include some descriptive information about that defendant. For example, "John Doe Doctor who worked at 4 p.m. at Manhattan Hospital on January 1, 2023."
- **Jury Trial.** You should state on the first page of the complaint whether you want a jury trial by checking either "yes" or "no" in the top right corner of the first page of the complaint. You can also demand a jury trial within 14 days of service of the answer. If you do not request a jury trial, but later decide that you want one, you may request a jury trial by filing a motion and explaining why you did not ask for one earlier. The judge does not have to grant this motion.
- **Form.** The form can be typed or handwritten, and it must be legible. If you need more space to answer a question, use separate sheets of 8½ x 11-inch paper and attach them to your complaint. You must provide the facts of your case but need not

PRO SE INTAKE WINDOW LOCATIONS:
40 FOLEY SQUARE | NEW YORK, NY 10007
300 QUARROPAS STREET | WHITE PLAINS, NY 10601

MAILING ADDRESS:
500 PEARL STREET | NEW YORK, NY 10007
PRO SE INTAKE UNIT: 212-805-0136



include legal arguments or references to cases. The complaint must contain an original signature from each plaintiff, unless you are filing your complaint by email (see below). Photocopies of your signature cannot be accepted. The complaint does not need to be notarized.

- **Contents.** The complaint must include facts satisfying the Five Ws: (1) **who** violated your rights, (2) **what** happened, (3) **where** did the events occur, (4) **when** did the events occur, and (5) **why** did the events occur.
- **Language.** All papers must be submitted in English. All court proceedings will be held in English and the Court does not provide an interpreter service for civil cases. If needed, you may ask a friend or relative to prepare your case papers.
- **Copies.** Submit the original complaint to the Pro Se Intake Unit. Please keep a copy for your records.

Filing a Complaint

The following three methods may be used to file a complaint:

- **In person.** You may bring the original complaint to the Pro Se Intake Unit at Room 105, 40 Foley Square, New York, NY 10007, or 300 Quarropas Street, White Plains, NY 10601.
- **By regular mail.** You may submit the complaint by regular mail to the Pro Se Intake Unit at Room 120, 500 Pearl Street, New York, NY 10007.
- **By Email.** You may email your complaint to [Pro Se Filing@nysd.uscourts.gov](mailto:Pro_Se_Filing@nysd.uscourts.gov). The complaint must include your name, address, telephone number and email address (if available). The subject line of your email must read, "Pro Se Filing – New Case." If you plan to pay the filing fees, add to the subject line, "Pro Se Filing – New Case – Fee Paid."
 - **Signature.** You must sign your document by either signing the document before you scan it or typing "/s/ [Your Name]" **on the signature line that states, "Plaintiff's Signature."** The Court will accept typed signatures in this format.
 - **PDF format.** The complaint and all other documents must be saved in PDF/A format. (See [How to Use the Check PDF Document Utility in CM/ECF.](#))



The Filing Fees

- **Fees.** The filing fee is currently \$350.00, plus a \$55 administrative fee. (Please check the [fee schedule](#) on the website for any updates.) If you are granted leave to proceed *in forma pauperis*, that is, without payment of the filing fees, the \$55 administrative fee does not apply. The total amount is payable to the “Clerk of Court, USDC, SDNY.” Personal checks are *not* accepted.
 - **In person:** Certified check, bank check, money order, major credit card, or cash.
 - **By regular mail:** Certified check, bank check, or money order mailed to: Cashiers-Room 120, 500 Pearl Street, New York, NY 10007.
 - **For complaints filed by email:** Payment must be made within 30 days of the date your case is assigned a docket number. If mailing payment, follow instructions for paying by regular mail, and include the docket number, which you can learn by calling (212) 805-0175. The docket number will also be visible on a form order that will be mailed to you at the address provided on the complaint with payment instructions. If you do not make payment within 30 days of the date a docket number is assigned to your case, the action will be dismissed without prejudice.
- **Inability to pay the filing fee:** If you cannot afford the filing fee, you may ask for permission to proceed without paying the fee by completing an [Application to Proceed Without Prepaying Fees or Costs \(“IFP Application”\)](#) and including it with your complaint.
 - **Caption.** The caption of this application should be identical to the caption on the complaint.
 - **Multiple Plaintiffs.** If there is more than one plaintiff in your case, each plaintiff must provide a separate IFP Application.
 - **Incarcerated Plaintiffs.** If you are confined in a jail, prison, or any other correctional facility, you must also complete a Prisoner Authorization and attach it to the IFP Application.
 - **Note.** If the court grants an incarcerated plaintiff’s IFP application, this grant provides only a waiver to prepay the entire filing fee. Under the Prison Litigation Reform Act of 1995, 28 U.S.C. § 1915(b), prisoners



must ultimately pay the entire fee, but IFP status waives the administrative fee and permits payments in installments. The court collects the installments by debiting the amounts from an incarcerated plaintiff's prison account.

Frequently Asked Questions: Email Filing System

- **Can I file other documents by email? Yes.** All other documents in your case may be submitted by email even if you originally filed your case by regular mail or in person. For existing cases, the subject line of the email must read, "Pro Se Filing – XX-CV-XXX."
- **How long will it take before my document shows up on the ECF docket?** If your document does not appear on the ECF docket within two business days, it has not met the required standards for electronic filing. If so, you must submit your document to the court in paper form by (a) sending your document by regular mail, or overnight delivery service, to the 500 Pearl Street courthouse or the 300 Quarropas courthouse; (b) delivering your document in-person to the appropriate courthouse listed below between the hours of 9:30 AM to 5:00 PM; or (c) depositing your document after hours in the court's night depository box at:

United States Courthouse
Pro Se Intake Unit
40 Foley Square, Room 120
New York, NY 10007

or

United States Courthouse
Pro Se Intake Unit
300 Quarropas Street
White Plains, NY 10601

- **Can I include any questions or information in my email? No.** You must only include the attached document(s) for filing. The body of the email is not monitored. If you have a question for the court, you must submit the question in writing and file the submission in your case.
- **Will someone respond to my email? No.** This email address cannot respond to inquiries. The Clerk's Office will download the email attachments. This is a NO-



REPLY email address. But you may call (212) 805-0175 to confirm that your documents were received. Please wait at least one week before calling.

- **Can the Clerk's Office assist with scanning? No.** If you are unable to email your documents, you must submit them in person or by regular mail to the Pro Se Intake Units at the appropriate address above.
- **Can I email the assigned judge instead? No.** All submissions filed by email must be emailed to [Pro Se Filing@nysd.uscourts.gov](mailto:Pro_Se_Filing@nysd.uscourts.gov).
- **Can someone email my documents for me? Yes.** But please include your email address, if available, in the document. You will only receive notifications at the email address listed on the filed documents, and only if you have consented to receive court documents by email.
- **Can I receive court documents by email? Yes.** Complete and email a signed [consent to electronic service form](#).
- **Can I file documents electronically using the PACER system? Yes, if you are granted permission to file your documents electronically.** You may file a [motion for permission for electronic case filing](#), following your participation in the Court's CM/ECF introduction course.

QUESTIONS

If you have any questions, please contact the Pro Se Intake Unit, 212-805-0175, during business hours, 8:30 a.m.–5:00 p.m., Monday–Friday (except federal holidays). The Pro Se Intake Unit cannot accept collect calls.

***** These instructions should not be submitted with your complaint *****