

United States District Court for the Eastern District of Texas
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PRISONER PRO SE FILER INSTRUCTIONS (rev. 2.12.2026)

The following reminders are provided to *pro se* litigants (litigants representing themselves/filing without an attorney):

FEDERAL COURTS HAVE LIMITED JURISDICTION.

- Matters that are not subject to this court's jurisdiction may be transferred to another federal court where venue is proper or dismissed. Filing fees are not refunded for dismissed cases.
- The clerk does not screen cases for proper jurisdiction and is prohibited from providing legal advice. Ensure your case is subject to this court's jurisdiction and that venue is proper before you file.

YOUR CASE AND DOCUMENTS WILL BE PUBLICLY AVAILABLE VIA PACER.

- Documents are accessible worldwide via the federal judiciary's Public Access to Court Electronic Records (PACER) system. Rule 5.2 of the Federal Rules of Civil Procedure (Fed. R. Civ. P.) requires you to redact your social security number, tax ID number, and financial account numbers to the last four digits and dates of birth to only the year.
- The clerk does not apply redactions to documents or review documents for compliance. Sealed documents are subject to the provisions of Rule 5(a)(7) of this district's Local Rules – Civil Rules (LR CV).
- Please note, even if you mail letters directly to a judge, they are usually sent to the clerk's office for public docketing. You are encouraged to communicate all matters intended for review by a judge via a properly captioned pleading or document that complies with federal and local filing rules.

THE COURT WANTS TO PROVIDE EFFECTIVE SERVICE AND COMMUNICATION.

- Under LR CV-11, the signature block on every document must include your name and physical address. Should your physical address change after you file the complaint, you must file a written notice that identifies all your cases. If you fail to keep the clerk informed of your current address, you may not receive orders and notices of hearings, which could result in your case being dismissed.
- If you reside in a Texas Department of Criminal Justice (TDCJ) unit, you will find the federal and local rules, forms adopted by the four federal judicial districts in Texas to file a civil rights complaint, a petition for writ of habeas corpus under 28 U.S.C. § 2254, and motion to proceed *in forma pauperis* ("IFP"), as well as a venue list, in your unit's law library. You are required to submit a six-month history of your inmate trust account with an IFP motion.
- If you reside in a federal institution (*e.g.*, BOP, FCI, FMC), you will find the federal rules in your unit's law library. Units in Texas have our court's local rules and most have the forms to file actions under 28 U.S.C. § 2241, 28 U.S.C. § 2255, and *Bivens*. If you reside in a unit that does not have our local rules, you may write to us. To conserve resources, we will contact your unit's law librarian to request permission to send a copy of our local rules for placement in the law library. You are required to submit a six-month history of your inmate trust account with an IFP motion.
- Your complaint or petition must be handwritten or typed, signed in ink, and filed in paper. No one may receive electronic notices or e-file on your behalf. You must file all documents in paper, and the other parties and the court must serve documents and orders on you in paper at your unit.

YOU MAY BE ELIGIBLE TO PROCEED WITHOUT PREPAYMENT OF THE FILING FEE.

- There is no fee to file a motion to vacate, set aside, or correct sentence under 28 U.S.C. § 2255.
- The fee to file a petition for writ of habeas corpus under 28 U.S.C. § 2241 or 28 U.S.C. § 2254 is \$5. If you file a motion to proceed IFP that is granted, the habeas corpus case filing fee is waived.
- The fee to file a civil rights complaint or a *Bivens* complaint is \$405. This includes the \$350 fee required by 28 U.S.C. § 1914(a) and the \$55 fee required by 28 U.S.C. § 1914(b) and the District Court Miscellaneous Fee Schedule. If you file a motion to proceed IFP that is granted, the Prison Litigation Reform Act requires the \$350 fee to be paid in installments in accordance with the relevant provisions. (The \$55 fee will not be collected.)

A JUDGE DECIDES WHEN YOUR CASE MAY BE SERVED ON THE RESPONDENT OR DEFENDANT.

- The judge must issue an Order for the Respondent to Show Cause before the clerk will serve your habeas corpus petition on the respondent.
- Before service of process may commence for a complaint, the judge must complete screening under 28 U.S.C. § 1915(e)(2)(B) or 28 U.S.C. § 1915A.

CERTIFICATES OF SERVICE ARE REQUIRED AFTER ANOTHER PARTY HAS APPEARED IN THE CASE.

- Although the clerk's entry on the docket of public paper filings usually results in the service of your document upon registered e-filers pursuant to LR CV-5(e), after another party has appeared in your case, you should serve them with a copy of each document you file. (Note: The clerk's entry of sealed documents does not serve other parties as the document cannot be viewed in PACER.)
- The certificate of service required by Fed. R. Civ. P. 5(d) should appear after the usual signature block at the end of the document and indicate the name of the person(s) served, the method of service, and the date of service. **Sample language is shown below. Remember to sign your name again below the certificate.**

CERTIFICATE OF SERVICE: I certify that a true and correct copy of the foregoing document was forwarded by [authorized method used to serve] to [each attorney/party name that you serve] on [date].