## JS 44 (Rev. 12/12) Case 2:15-cv-00024-WTL-WGH Decument 12 Filed 01/23/15 Page 1 of 2 PageID #: 12

The JS 44 civil cover sheet and the information contained herein neither replace nor supplement the filing and service of pleadings or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. *(SEE INSTRUCTIONS ON NEXT PAGE OF THIS FORM.)* 

MARVIRICHARLES GABRION REGISTRATION NO. 09184-055 (b) County of Residence of First Listed Plaintiff <u>VIGO</u> (EXCEPT IN U.S. PLAINTIFF CASES) SCOTAGRANATIONSCOTADGRANATION 1911 West Centre Avenue, Suite C Portage, Michigan 49024 (269) 327-0585			UNITED STATE DEPARTMENT OF JUSTICE AND UNITED STATES BUREAU OF PRISONS County of Residence of First Listed Defendant (IN U.S. PLAINTIFF CASES ONLY) NOTE: IN LAND CONDEMNATION CASES, USE THE LOCATION OF THE TRACT OF LAND INVOLVED. Attorneys (If Known)								
						II. BASIS OF JURISDI	CTION (Place an "X" in O	ne Box Only)	III. CITIZENSHIP OF P	RINCIPAL PARTIES	Place an "X" in One Box for Plaintiff
						□ 1 U.S. Government Plaintiff	<ul> <li>Government Not a Party)</li> </ul>		(For Diversity Cases Only) P1 Citizen of This State		
2 U.S. Government Defendant	4 Diversity (Indicate Citizenship of Parties in Item III)			2 🗖 2 Incorporated and P of Business In A	Another State						
			Citizen or Subject of a Foreign Country	3 <b>3</b> Foreign Nation							
IV. NATURE OF SUIT		,			OTHED OT A TUTES						
CONTRACT      110 Insurance      120 Marine      130 Miller Act      140 Negotiable Instrument      150 Recovery of Overpayment     & Enforcement of Judgment      151 Medicare Act      152 Recovery of Defaulted     Student Loans     (Excludes Veterans)      153 Recovery of Overpayment     of Veteran's Benefits      160 Stockholders' Suits      190 Other Contract      195 Contract Product Liability      196 Franchise <b>REAL PROPERTY</b> 210 Land Condemnation      220 Foreclosure      230 Rent Lease & Ejectment      245 Tort Product Liability      290 All Other Real Property	PERSONAL INJURY ☐ 310 Airplane ☐ 315 Airplane Product Liability ☐ 320 Assault, Libel &	RTS         PERSONAL INJUR         365 Personal Injury - Product Liability         367 Health Care/ Pharmaceutical Personal Injury Product Liability         368 Asbestos Personal Injury Product Liability         368 Asbestos Personal Injury Product Liability         PERSONAL PROPER         370 Other Fraud         371 Truth in Lending         380 Other Personal Property Damage         385 Property Damage Product Liability         PRISONER PETITION         Habeas Corpus:         463 Alien Detainee         510 Motions to Vacate Sentence         530 General         535 Death Penalty         Other:         540 Mandamus & Oth         555 Prison Condition         560 Civil Rights         555 Prison Condition         560 Civil Detainee - Conditions of Confinement	of Property 21 USC 881 General definition of the second s	BANKRUPTCY           422 Appeal 28 USC 158           423 Withdrawal 28 USC 157           PROPERTY RIGHTS           820 Copyrights           830 Patent           840 Trademark           SOCIAL SECURITY           861 HIA (1395ff)           862 Black Lung (923)           863 DIWC/DIWW (405(g))           864 SSID Title XVI           865 RSI (405(g))           FEDERAL TAX SUITS           870 Taxes (U.S. Plaintiff or Defendant)           871 IRS—Third Party 26 USC 7609	OTHER STATUTES         375 False Claims Act         400 State Reapportionment         410 Antitrust         430 Banks and Banking         450 Commerce         460 Deportation         470 Racketeer Influenced and Corrupt Organizations         480 Consumer Credit         490 Cable/Sat TV         850 Securities/Commodities/ Exchange         891 Agricultural Acts         893 Environmental Matters         895 Freedom of Information Act         896 Arbitration         899 Administrative Procedure Act/Review or Appeal of Agency Decision         950 Constitutionality of State Statutes						
V. ORIGIN (Place an "X" in	n One Box Only)										
	te Court	Appellate Court	(specify)	r District Litigation							
VI. CAUSE OF ACTIO		2	re filing (Do not cite jurisdictional stat	utes untess diversity):							
VII. REQUESTED IN COMPLAINT:	CHECK IF THIS UNDER RULE 2	IS A <b>CLASS ACTION</b> 3, F.R.Cv.P.	N DEMAND \$	CHECK YES only JURY DEMAND:	if demanded in complaint: □ Yes X No						
VIII. RELATED CASI IF ANY	E(S) (See instructions): JUDGE		DOCKET NUMBER								
DATE January 23, 2015 FOR OFFICE USE ONLY	SIGNATURE OF ATTORNEY OF RECORD s/ Scott Graham										
	MOUNT	APPLYING IFP	JUDGE	MAG. JUI	DGE						

## INSTRUCTIONS FOR ATTORNEYS COMPLETING CIVIL COVER SHEET FORM JS 44

Authority For Civil Cover Sheet

The JS 44 civil cover sheet and the information contained herein neither replaces nor supplements the filings and service of pleading or other papers as required by law, except as provided by local rules of court. This form, approved by the Judicial Conference of the United States in September 1974, is required for the use of the Clerk of Court for the purpose of initiating the civil docket sheet. Consequently, a civil cover sheet is submitted to the Clerk of Court for each civil complaint filed. The attorney filing a case should complete the form as follows:

- **I.(a) Plaintiffs-Defendants.** Enter names (last, first, middle initial) of plaintiff and defendant. If the plaintiff or defendant is a government agency, use only the full name or standard abbreviations. If the plaintiff or defendant is an official within a government agency, identify first the agency and then the official, giving both name and title.
- (b) County of Residence. For each civil case filed, except U.S. plaintiff cases, enter the name of the county where the first listed plaintiff resides at the time of filing. In U.S. plaintiff cases, enter the name of the county in which the first listed defendant resides at the time of filing. (NOTE: In land condemnation cases, the county of residence of the "defendant" is the location of the tract of land involved.)
- (c) Attorneys. Enter the firm name, address, telephone number, and attorney of record. If there are several attorneys, list them on an attachment, noting in this section "(see attachment)".

II. Jurisdiction. The basis of jurisdiction is set forth under Rule 8(a), F.R.Cv.P., which requires that jurisdictions be shown in pleadings. Place an "X" in one of the boxes. If there is more than one basis of jurisdiction, precedence is given in the order shown below. United States plaintiff. (1) Jurisdiction based on 28 U.S.C. 1345 and 1348. Suits by agencies and officers of the United States are included here. United States defendant. (2) When the plaintiff is suing the United States, its officers or agencies, place an "X" in this box.

Federal question. (3) This refers to suits under 28 U.S.C. 1331, where jurisdiction arises under the Constitution of the United States, an amendment to the Constitution, an act of Congress or a treaty of the United States. In cases where the U.S. is a party, the U.S. plaintiff or defendant code takes precedence, and box 1 or 2 should be marked.

Diversity of citizenship. (4) This refers to suits under 28 U.S.C. 1332, where parties are citizens of different states. When Box 4 is checked, the citizenship of the different parties must be checked. (See Section III below; **NOTE: federal question actions take precedence over diversity cases.**)

- **III. Residence (citizenship) of Principal Parties.** This section of the JS 44 is to be completed if diversity of citizenship was indicated above. Mark this section for each principal party.
- **IV.** Nature of Suit. Place an "X" in the appropriate box. If the nature of suit cannot be determined, be sure the cause of action, in Section VI below, is sufficient to enable the deputy clerk or the statistical clerk(s) in the Administrative Office to determine the nature of suit. If the cause fits more than one nature of suit, select the most definitive.
- V. Origin. Place an "X" in one of the six boxes.

Original Proceedings. (1) Cases which originate in the United States district courts.

Removed from State Court. (2) Proceedings initiated in state courts may be removed to the district courts under Title 28 U.S.C., Section 1441. When the petition for removal is granted, check this box.

Remanded from Appellate Court. (3) Check this box for cases remanded to the district court for further action. Use the date of remand as the filing date.

Reinstated or Reopened. (4) Check this box for cases reinstated or reopened in the district court. Use the reopening date as the filing date. Transferred from Another District. (5) For cases transferred under Title 28 U.S.C. Section 1404(a). Do not use this for within district transfers or multidistrict litigation transfers.

Multidistrict Litigation. (6) Check this box when a multidistrict case is transferred into the district under authority of Title 28 U.S.C. Section 1407. When this box is checked, do not check (5) above.

- VI. Cause of Action. Report the civil statute directly related to the cause of action and give a brief description of the cause. Do not cite jurisdictional statutes unless diversity. Example: U.S. Civil Statute: 47 USC 553 Brief Description: Unauthorized reception of cable service
- VII. Requested in Complaint. Class Action. Place an "X" in this box if you are filing a class action under Rule 23, F.R.Cv.P. Demand. In this space enter the actual dollar amount being demanded or indicate other demand, such as a preliminary injunction. Jury Demand. Check the appropriate box to indicate whether or not a jury is being demanded.
- VIII. Related Cases. This section of the JS 44 is used to reference related pending cases, if any. If there are related pending cases, insert the docket numbers and the corresponding judge names for such cases.

Date and Attorney Signature. Date and sign the civil cover sheet.