

Rule 6.04 | ACTION BY A PERSON IN CUSTODY

(a) REQUIRED FORM. A pro se person in custody must use the standard form – available without charge from the clerk and on the court’s website – to file:

- (1) an application under 28 U.S.C. §2241,
- (2) an application under 28 U.S.C. §2254 or a motion under 28 U.S.C. §2255, or
- (3) a complaint, such as a 42 U.S.C. §1983 complaint, that alleges a violation of the United States Constitution or other federal law by a governmental official.

(b) FEE. In an in forma pauperis action by a person in custody, the judge can order the person to pay the clerk’s and the marshal’s fee. Failure to pay can result in dismissal of the action.