

SAMPLE CIVIL FORM 19.

IN THE _____ COURT OF _____ COUNTY

A.B., Plaintiff)
v.)
C.D., Defendant)

CIVIL ACTION NO. _____

COMPLAINT FOR MALICIOUS PROSECUTION

1. On or about the _____ day of _____, defendant, maliciously, and without probable cause therefor, caused the plaintiff to be arrested under a warrant issued by E.F., a magistrate, on a charge of larceny (or as the case may be).

2. Before the commencement of this action, this charge was judicially investigated, the prosecution ended, and the plaintiff discharged.

Wherefore plaintiff demands judgment against defendant in the sum of _____ dollars and costs.

[Signed]: _____

Attorney for Plaintiff

Address:

Committee Comments

This form alleges circumstances showing a lawful arrest. If an arrest is not necessary to instigate the judicial proceeding, omit any claim of a lawful arrest and instead merely set out the circumstances showing the commencement of a valid judicial proceeding. See *Sears, Roebuck & Co. v. Alexander*, 252 Ala. 122, 39 So.2d 570 (1949) and *Bessie Mae Prince v. B.G. Bryant*, 274 Ala. 134, 145 So.2d 837 (1962).