

**PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241
BY A PERSON IN FEDERAL CUSTODY**

INSTRUCTIONS - READ CAREFULLY

1. This petition must be legibly handwritten or typewritten, signed by the petitioner and subscribed to under penalty of perjury as being true and correct. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury. All questions must be answered concisely in the proper space on the form. Where more room is needed to answer any question, please list them on a separate sheet of paper.
2. If briefs or arguments are submitted, they should be submitted in the form of a separate memorandum.
3. Upon receipt of a fee of \$5.00, your petition will be filed if it is in proper order.
4. If you do not have the necessary filing fee, you may request permission to proceed *in forma pauperis*. Please complete the enclosed affidavit setting forth information establishing your inability to prepay the fees and costs.
5. Your attention is directed to the fact that you must include all grounds for relief and all facts supporting such grounds for relief in the petition.
6. When the petition is complete, **the original and two copies** must be mailed to the Clerk of the United States District Court for the Eastern District of Virginia. The address is listed below:

United States District Court
Eastern District of Virginia
701 East Broad Street
Suite 3000
Richmond, Virginia 23219-3528

7. **ALL COPIES OF THE PETITION MUST BE IDENTICAL. DO NOT MAIL THE FORMS TO A SPECIFIC JUDGE.**
8. Petitions that do not conform to these instructions will be returned with a notation as to the deficiency.

**IN THE UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF VIRGINIA**

**FORM FOR USE IN APPLICATIONS
FOR HABEAS CORPUS UNDER 28 U.S.C. § 2241**

(Name)

(Prison Number)

(Place of Confinement)

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF VIRGINIA

Case Number _____ (to be supplied by Clerk, U.S. District Court)

_____, PETITIONER
(Full Name - Include Name Under Which You Were Convicted)

v.

_____, RESPONDENT
(Name of Warden, Superintendent, Jailor, or Authorized Person Having Custody of Petitioner)

Generally, if the petitioner wishes to attack a federal judgment under which a sentence was imposed he should file a motion under 28 U.S.C. § 2255, in the federal court which entered the judgment.

PETITION

1. Name and location of court which entered the judgment of conviction under which you are presently confined:

2. Date of judgment of conviction: _____

3. Length of sentence: _____ Sentencing Judge: _____

4. Nature of offense or offenses for which you were convicted: _____

5. Were you sentenced on more than one count of an indictment, or on more than one indictment, in the same court and at the same time? Yes [] No []

6. Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack? Yes [] No []

A. If so, give name and location of court which imposed sentence to be served in the future:

B. Give date and length of sentence to be served in future: _____

C. Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the future sentence? Yes [] No []

B. Ground two: _____

Supporting FACTS: _____

C. Ground three: _____

Supporting FACTS: _____

D. Ground four: _____

Supporting FACTS: _____

Wherefore, petitioner prays that the Court grant petitioner relief to which petitioner may be entitled in this proceeding.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on _____
(Date)

(Signature)

(Signature of Attorney, if any)