

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

\_\_\_\_\_ **NAME**

\_\_\_\_\_ **PRISON NUMBER**

\_\_\_\_\_ **PLACE**

**OF CONFINEMENT**

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF NEW YORK**

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\_\_\_\_\_  
(Full name - include name under which  
you were convicted)

**Petitioner,**

-against-

**CASE NO.** \_\_\_\_\_

\_\_\_\_\_  
(Name of Warden, Superintendent, Jailor,  
or authorized person having custody of  
petitioner)

**Respondent.**

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(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 FOR A 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 questions attach additional 8 1/2 x 11 inch paper.
2. No citation of authorities need be furnished. 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, in which even you must execute the affidavit on the last page, setting forth information establishing your inability to prepay the fees and costs or give security therefor. If you wish to proceed in forma pauperis, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account in the institution. If your prison account exceeds \$150.00, you must pay the filing fee as required by the rule of the district court.
5. Only judgments entered by one court may be challenged in a single petition. If you seek to challenge judgments entered by different courts either in the same state or in different states, you must file separate petitions as to each court.
6. 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 you file seeking relief from any judgment of conviction.
7. When the petition is fully completed, the original and two copies must be mailed to the Clerk of the United States District Court, Eastern District of New York, 225 Cadman Plaza East, Brooklyn, New York, NY 11201.
8. Petitions which do not conform to these instructions will be returned with a notation as to the deficiency.

PETITION

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

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2. Date of judgment of conviction \_\_\_\_\_

3. Length of sentence \_\_\_\_\_ Sentencing Judge \_\_\_\_\_

4. Nature of offenses for which you were convicted: \_\_\_\_\_

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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? Y e\_s No \_\_\_\_\_

(a) If so, give name and location of court which imposed sentence to be served in the future: \_\_\_\_\_

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(b) And give date and length of sentence to be served in future: \_\_\_\_\_

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(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future?

Y e\_s No \_\_\_\_\_

7. State concisely every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground.

A. Ground one: \_\_\_\_\_

Supporting FACTS (tell your story briefly without citing cases or law)

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**B. Ground two:** \_\_\_\_\_

**Supporting FACTS** (tell your story briefly without citing cases or law)

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**C. Ground three:** \_\_\_\_\_

**Supporting FACTS** (tell your story briefly without citing cases or law)

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(Please insert additional grounds, if necessary)

Wherefore, petitioner prays that the Court grant petitioner relief to which he/she 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)