FILED IN THE
UNITED STATES DISTRICT COURT
Western District of Washington
Northern Division

MAR 12 1965

HAROLD W. ANDERSON, CLERK
By

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

IN THE MATTER OF THE LOCAL CIVIL RULES FOR THE WESTERN DISTRICT OF WASHINGTON	ORDER AMENDING RULE 65.

For good cause therefor appearing IT IS ORDERED that Rule 65 of the local rules of this court is amended to read as follows:

Rule 65. Petitions for Habeas Corpus and Motions Pursuant to Title 28 U.S.C. Section 2255 (Attacking a Sentence Imposed by this Court), by Persons in Custody.

(a) Petitions for a writ of habeas corpus and motions filed pursuant to Title 28 U.S.C., Section 2255 (attacking a sentence imposed by this court) by persons in custody, shall be in writing, signed and verified. Such petitions and motions shall be on forms supplied by the court.

(b) The following information, where applicable, shall be supplied by every petitioner:

1. Petitioner's full name and prison number (if any);

2. The name of the Respondent (person having custody of petitioner);

3. The place of petitioner's detention;

4. The name and location of the court and name of the judge who imposed sentence;

5. The indictment number(s) (if known) upon which, and the offense(s) for which, sentence was imposed;

6. The date upon which sentence was imposed and the terms of the sentence;

7. Whether a finding of guilty was made after a plea of (1) guilty, (2) not guilty, or (3) nolo contendere;

8. In the case of a petitioner who was found to be guilty following a plea of not guilty, whether that finding was made (1) by a jury or (2) by a judge without a jury;

9. Whether or not petitioner appealed from the judgment of conviction or from the imposition of sentence, and, if so, the name of each court to which he appealed, the results of such appeals, the date of such results, and (if known) citations of any written opinions or orders entered therein;

FPI ATLANTA—
5-25-62—50M—3399

10. Whether petitioner was represented by an attorney at any time during the course of his arraignment and plea, his trial (if any), his sentencing, his appeal (if any), or preparation, presentation or consideration of any petitions, motions or applications which he filed with respect to this conviction; if so, the name and address of such attorney(s) and the proceedings at which petitioner was so represented; and

11. If petitioner seeks leave to proceed in forma pauperis, whether he has completed the affidavit attached to the form.

(c) The following additional information, where applicable, shall be supplied by a petitioner in state custody:

1. If petitioner did not appeal from the judgment of conviction or the imposition of sentence, the reasons why he did not do so;

2. In concise form, the grounds upon which petitioner bases his allegation that he is being held in custody unlawfully, the facts which support each of these grounds, and whether any such grounds have been previously presented to any court, state or federal, by way of any petition, motion or application; if so, which grounds have been previously presented and in what proceedings; if not, the reason why such ground has not been previously presented; and

3. Whether petitioner has filed in any court, state or federal, previous petitions, applications, or motions with respect to this conviction; if so, the name and location of each such court, the specific nature of the proceedings therein, the disposition thereof, the date of each such disposition and (if known), citations of any written opinions or orders entered therein.

(d) The following additional information shall be supplied by a petitioner in federal custody who is seeking a writ of habeas corpus:

1. Whether petitioner has filed in any court, state or federal, previous petitions for habeas corpus, motions (pursuant to Title 28, U.S.C., Section 2255) to vacate sentence, or any other petitions, motions or applications with respect to this conviction; if so, the name and location of any and all such courts, the specific nature of the proceedings therein, the disposition thereof, the date of each such disposition, and (if known) citations of any written opinions or orders entered therein;

2. In concise form, the grounds upon which petitioner bases his allegation that he is being held in custody unlawfully, the facts which support each of these grounds, and whether any such grounds have been previously presented to any federal court by way of petition for a writ of habeas corpus, motion pursuant to Title 28, U.S.C., Section 2255, or any other petition, motion or application; if so, which grounds have been previously presented and in what proceedings; and

FPI ATLANTA—
5-25-62—50M—3398

(h) Petitioners shall send to the Clerk an original for filing and two copies of the completed petition or motion form for service upon the party to whom such petition or motion shall be addressed.

(i) If a petition or motion is not made and verified by the party in custody the person making such petition or motion shall verify the same on behalf of such party in custody, and shall set forth therein the reason why it is not made and verified by the party in custody, and shall state he knows the facts set forth therein, or if upon information and belief, the sources of his information shall be stated.

The effective date of this order shall be ~~February 1,~~ March 15, 1965.

William J. Lindberg
United States District Judge

Neal Boeat
United States District Judge

[illegible]
United States District Judge

FPI ATLANTA—
5-25-62—50M—3398