

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT _____

Full name, address and prison number
(if any)

Petitioner

v.

Name of Respondent (person having
custody of petitioner)

Respondent

Civil Case No. _____

(To be supplied by the Clerk of the
District Court)

PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C., 2241.

INSTRUCTIONS - READ CAREFULLY

This petition must be legibly handwritten or typewritten, signed by the petitioner and verified under penalty of perjury before an authorized institutional officer. 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, insert an additional blank page and be sure to use the question number on the additional page.

No citation of authorities need be furnished. If briefs or arguments are submitted, they should be submitted in the form of a separate memorandum.

Upon receipt of a fee of \$5.00 your petition will be filed if it is in proper order. When the form is completed, the original and two copies should be mailed to the Clerk of the U.S. District Court for the Western District of Washington, at Seattle or at Tacoma.

If you do not have the necessary filing fee, you may request permission to proceed in forma pauperis, in which event 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. You must also have an authorized officer at the 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 account exceeds \$100.00, you must pay the filing fee.

1. Place of detention _____
2. Name and location of court and name of judge who imposed sentence:

3. The indictment number or numbers (if known) upon which and the offense or offenses for which sentence was imposed:
 - (a) _____
 - (b) _____
 - (c) _____

4. The date upon which sentence was imposed and the terms of the sentence:
- (a) _____
- (b) _____
- (c) _____
5. Check whether a finding of guilty was made:
- (a) after a plea of guilty _____
- (b) after a plea of not guilty _____
- (c) after a plea of nolo contendere _____
6. If you were found guilty after a plea of not guilty, check whether that finding was made by:
- (a) a jury _____
- (b) a judge without a jury _____
7. Did you appeal from the judgment of conviction or the imposition of sentence? _____
8. If you answered "yes" to (7), list:
- (a) the name of each court to which you appealed:
- i. _____
- ii. _____
- iii. _____
- (b) the result in each such court to which you appealed:
- i. _____
- ii. _____
- iii. _____
- (c) the date of each such result:
- i. _____
- ii. _____
- iii. _____
- (d) if known, citations of any written opinions or orders entered pursuant to such results:
- i. _____
- ii. _____
- iii. _____

9. State concisely the grounds on which you base your allegation that you are being held in custody unlawfully.

(a)

(b)

(c)

10. State concisely and in the same order the facts which support each of the grounds set out in (9):

(a)

(b)

(c)

11. Have you previously filed petitions for habeas corpus, motions under section 2255 of Title 28, United States Code, or any other applications, petitions or motions with respect to this conviction?

12. If you answered "yes" to (11), list with respect to each petition, motion or application:

(a) the specific nature thereof:

- i. _____
- ii. _____
- iii. _____

(b) the name and location of the court in which each was filed:

- i. _____
- ii. _____
- iii. _____

(c) the disposition thereof:

- i. _____
- ii. _____
- iii. _____

(d) the date of each such disposition:

- i. _____
- ii. _____
- iii. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

- i. _____
- ii. _____
- iii. _____

13. If you did not file a motion under section 2255 of Title 28, United States Code, or if you filed such a motion and it was denied, state why your remedy by way of such motion is inadequate or ineffective to test the legality of your detention:

(a)

(b)

(c)

14. Has any ground set forth in (9) been previously presented to this or any other federal court by way of petition for habeas corpus, motion under section 2255 of Title 28, United States Code, or any other petition, motion or application?

15. If you answered "yes" to (14), identify:

(a) which grounds have been previously presented:

- i. _____
- ii. _____
- iii. _____

(b) the proceedings in which each ground was raised:

- i. _____
- ii. _____
- iii. _____

16. Were you represented by an attorney at any time during the course of:

- (a) your arraignment and plea? _____
- (b) your trial, if any? _____
- (c) your sentencing? _____
- (d) your appeal, if any, from the judgment of conviction or the imposition of sentence?

- (e) preparation, presentation or consideration of any petitions, motions or applications with respect to this conviction, which you filed?

17. If you answered "yes" to one or more parts of (16), list:

(a) the name and address of each attorney who represented you:

- i. _____

- ii. _____

- iii. _____

(b) the proceedings at which each such attorney represented you:

- i. _____
- ii. _____
- iii. _____

18. If you are seeking leave to proceed in forma pauperis, have you completed the sworn affidavit setting forth the required information (see instructions, page 1 of this form)?

Signature of Petitioner

State of Washington))
County of _____) ss

_____, being first sworn under oath, presents that he has subscribed to the foregoing petition and does state that the information therein is true and correct to the best of his knowledge and belief.

Signature of Affiant

SUBSCRIBED and SWORN to
before me this _____ day
of _____ (month) _____ (year)

Notary Public (or other official
authorized by law to administer oaths)