

**PETITION FOR WRIT OF HABEAS CORPUS
UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF ILLINOIS**

PERSONS IN FEDERAL CUSTODY

	)	
	)	
	)	
_____ (Full name under which convicted)	)	
PETITIONER	)	
	)	
	)	
_____ (Prisoner number)	)	
	)	Case No: _____
	)	(To be supplied by Clerk)
v.	)	
	)	
	)	
_____ (Name of Warden, Superintendent, Jailor, or authorized person having custody of petitioner)	)	
Respondent.	)	

If petitioner is serving a sentence under a federal judgment which he wishes to attack, 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 attack:
_____.
2. Date of judgment of conviction: _____.
3. Length of sentence: _____.
4. Nature of offense involved (all counts with indictment number of each, if known):

_____.
5. What was your plea? (Check one)
(A) Not Guilty ()
(B) Guilty ()
(C) Nolo Contendere ()

If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, give details:

6. Kind of trial: (Check one)
(A) Jury ()
(B) Judge only ()

7. Did you testify at trial?
Yes () No ()

8. Did you appeal from the judgment of conviction or imposition of sentence?
Yes () No ()

(A) If you did appeal, answer the following:

(1) Name of court: _____

(2) Result: _____

(3) Date of result: _____

(4) Issues raised: _____

9. Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications or motions pursuant to 28 U.S.C. § 2255 with respect to this judgment in any federal court?

Yes () No ()

10. If your answer to question (9) was YES, give the following information:

(A) (1) Name of court: _____

(2) Nature of proceeding: _____

(3) Grounds raised: _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes () No ()

(5) Result: _____

(6) Date of result: _____

- (B) As to any second petition, application, or motion, give the same information.

(1) Name of court: _____

(2) Nature of proceeding: _____

(3) Grounds raised: _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes () No ()

(5) Result: _____

(6) Date of result: _____

(C) As to any third petition, application, or motion, give the same information.

(1) Name of court: _____

(2) Nature of proceeding: _____

(3) Grounds raised: _____

(4) Did you receive an evidentiary hearing on your petition, application or motion?

Yes () No ()

(5) Result: _____

(6) Date of result: _____

(D) Did you appeal the result to the federal appellate court having jurisdiction?

(1) First petition, etc. Yes () No ()

(2) Second petition, etc. Yes () No ()

(3) Third petition, etc. Yes () No ()

(E) If you did not appeal from the adverse action on any petition, application, or motion, explain briefly why you did not:

11. If you did not file a motion under Section 2255 of Title 28 United States Code, or if you filed such 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:

12. State concisely every ground on which you claim that you are being held unlawfully. Summarize briefly the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting same. You should raise in this petition all available grounds for relief which relate to the conviction under attack. Failure to do so may bar you from presenting additional grounds at a later date.

- (A) Ground one: _____
Supporting **FACTS** (tell your story briefly without citing cases or law):

(B) Ground two: _____

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

(C) Ground three: _____

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

- (D) Ground four: _____
Supporting **FACTS** (tell your story briefly without citing cases or law):

13. Has any ground set forth in question (12) 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 petition, motion or application.

Yes () No ()

14. If you answered “**YES**” to question (13), state briefly what grounds were previously presented, and name the proceedings in which each ground was raised:

15. Do you have any petition or appeal now pending in any federal court, as to the judgment under attack?

Yes () No ()

- (A) If yes, state the name of the court and the nature of the proceeding.

16. Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

- (A) At preliminary hearing: _____

- (B) At arraignment and plea: _____

- (C) At trial: _____

- (D) At sentencing: _____

- (E) On appeal: _____

- (F) In any post-conviction proceedings: _____

- (G) On appeal from any adverse ruling in a post-conviction proceeding:

17. 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 ()

18. Do you have any future sentence to serve after you complete the sentence imposed by judgment under attack?

Yes () No ()

- (A) If **YES**, give the name and location of the court which imposed sentence to be served in the future:

- (B) And give the date and length of sentence to be served in the future

WHEREFORE, petitioner prays that the court grant petitioner relief to which he may be entitled in this proceeding.

Signature of Attorney (if any)

Signature of Petitioner

I DECLARE UNDER PENALTY OF PERJURY THAT THE FOREGOING IS TRUE AND CORRECT.

Executed on _____
(Date)

(Signature of Petitioner)

(Mailing Address for Petitioner)
