

INSTRUCTIONS - READ CAREFULLY

(1) This petition must be legibly handwritten or typewritten and signed by the petitioner under penalty of perjury. 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, attach additional pages.

(2) Additional pages are not permitted except with respect to the facts which you rely upon to support your grounds for relief. 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 event you must execute the Declaration on the last two (2) pages, 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 at the institution. If your prison account exceeds \$25.00 you must pay the filing fee as required by the Rules of the District Court.

(5) Only one unlawful confinement, time credit loss, or parole matter, etc., may be challenged in a single petition. If you challenge more than one, you should do so by separate petitions.

(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.

(7) When the petition is fully completed, the original and two (2) copies must be mailed to:

Phoenix & Prescott Divisions:
U.S. District Court Clerk
U.S. Courthouse, Suite 321
401 West Washington Street, SPC 10
Phoenix, Arizona 85003-2119

OR Tucson Division:
U.S. District Court Clerk
U.S. Courthouse, Suite 1500
405 West Congress Street
Tucson, Arizona 85701-5010

(8) Petitions that do not conform to these instructions will be returned with a notation as to the deficiency.

PETITION

1. Name and location of court that entered the judgment of conviction: _____
2. Date of judgment of conviction: _____
Case Number: _____
3. Length of sentence: _____ Sentencing Judge: _____
4. Nature of offence(s) of which you were convicted: _____

5. Did you appeal from the judgment of conviction? Yes() No()
6. If you did appeal, give the following information for each appeal:
 - a. (1) Name of court _____
(2) Result _____
(3) Date of result _____
(4) Citation or number of opinion _____
(5) Grounds raised (list each)
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____
 - b. (1) Name of court _____
(2) Result _____
(3) Date of result _____
(4) Citation or number of opinion _____
(5) Grounds raised (list each)
 - (a) _____
 - (b) _____
 - (c) _____
 - (d) _____
7. 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.

CAUTION: In order to proceed in the federal court you must ordinarily first exhaust your administrative remedies as to each ground on which you request action by the federal court. As to all grounds on which you have previously exhausted administrative remedies, you should set them forth in this petition if you wish to seek federal relief. If you fail to set forth all such grounds in this petition, you may be barred from presenting them at a later date.

For your information, the following is a list of the most frequently raised grounds for relief in habeas corpus proceedings. Each statement preceded by a letter constitutes a separate ground for possible relief. You may raise any grounds that you may have other than those listed if you have exhausted all your administrative remedies with respect to them. However, you should raise in this petition all available grounds.

If you select one or more of these grounds for relief, you must allege facts in support of the ground or grounds that you choose. Do not check any of the grounds listed below. The petition will be returned to you if you merely check (a) through (m), or any one of these grounds:

- (a) Conditions of confinement violate a constitutional right.
- (b) Prison regulations, on their face or as enforced, are violative of the Constitution or other federal law.
- (c) Prison transfer has been threatened, carried out, or denied in violation of federal constitutional or statutory law.
- (d) Confinement is at a place forbidden by statutory law.
- (e) Convicted person's prisoner classification violates federal constitutional or other law.
- (f) Good time credit has been ended or forfeited in violation of federal constitutional or statutory law.
- (g) Credit for time spent in jail prior to sentencing or pending appeal has been denied in violation of federal constitutional or other law.
- (h) Prison officials have refused to release the convicted person, even though he has served his sentence or is entitled to mandatory release.
- (i) Parole was denied, postponed, rescinded, or revoked in violation of federal constitutional or other law.
- (j) A parole violation warrant was issued or executed in violation of federal constitutional or other law.
- (k) There has been an unlawful refusal to terminate parole.
- (l) Convicted person is suffering adverse effects from a federal or state detainer lodged against him in violation of federal constitutional or other law.
- (m) Custody is otherwise subject to collateral attack by reason of the conduct of prison or parole authorities.

A. Ground One: _____

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

A-1. Did you exhaust all administrative remedies relating to Ground One? Yes () No ()

A-2. This issue was presented:

() To the Parole Commission

() To the Office of General Counsel

() Other _____

A-3. If the answer to A-1 is "no," explain why the issue was not raised. _____

B. Ground Two: _____

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): _____

D-1. Did you exhaust all administrative remedies relating to Ground Four? Yes () No ()

D-2. This issue was presented:

() To the Parole Commission

() To the Office of General Counsel

() Other _____

D-3. If the answer to D-1 is "no," explain why the issue was not raised. _____

8. Have you filed previous 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? Yes () No ()

9. If your answer to Question No. 10 was yes, give the following information:

(a) Name of Court _____

(b) Nature of proceeding _____

(c) Grounds raised _____

(d) Result _____

(e) Date of result _____

(f) Citation or number of any written opinions or orders entered pursuant to each disposition _____

10. 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:

11. Are you presently represented by counsel? Yes () No ()
If so, name, address, and telephone number:_____

Case name and court_____

12. If you are seeking leave to proceed in forma pauperis, have you completed the declaration setting forth the required information? Yes () No ()

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

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct.

Executed on _____
(date)

Signature of Petitioner

Signature of Attorney (if any)