

NOTICE

EFFECTIVE
SEPTEMBER 5, 2000

ALL INMATE CIVIL RIGHTS ACTIONS AND HABEAS CORPUS APPLICATIONS ARE TO BE SENT FOR PROCESSING AND FILING TO THE SYRACUSE DIVISIONAL OFFICE OF THE CLERK.

ALSO, REQUESTS FOR ANY FORMS NECESSARY FOR FILING A NEW ACTION OR HABEAS CORPUS APPLICATION ARE TO BE MADE TO THAT OFFICE. THE ADDRESS IS AS FOLLOWS:

CLERK, U.S. DISTRICT COURT
FEDERAL BUILDING
100 SOUTH CLINTON STREET
SYRACUSE, NEW YORK 13261

ATTENTION: INMATE LITIGATION UNIT

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

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF NEW YORK

CASE NO. _____ (to be supplied by the Clerk of Court)

_____, PETITIONER
(Full name -- include name under which you were convicted)

v.

_____, RESPONDENT
(Name of Warden, Superintendent, Jailor, or authorized person having custody of
petitioner)

NAME AND PRISON NUMBER

PLACE OF CONFINEMENT

(If the petitioner wishes to attack a federal judgment under which a sentence was imposed he/she should file a motion under 28 U.S.C. Section 2255, in the federal court which entered the judgment).

PETITION FOR WRIT OF HABEAS CORPUS UNDER SECTION 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 question type or use lined 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 submit an application 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 official at the correctional facility 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 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 whose address is: 100 South Clinton Street, Syracuse, New York 13261.
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 the judgment of conviction under which you are presently confined:

2. Date of judgment of conviction: _____

3. Length of sentence: _____ Sentencing Judge: _____

4. Nature of offense or offenses for which you were convicted:

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

**APPLICATION TO PROCEED
WITHOUT FULL PREPAYMENT
OF FEES; AFFIDAVIT AND
AUTHORIZATION FORM**

Plaintiff

v.

Defendant(s)

CASE NUMBER:

I, _____ declare that I am the (check appropriate box)

petitioner/plaintiff/movant other

in the above-entitled proceeding; that in support of my request to proceed without prepayment of fees or costs under 28 USC. § 1915 I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint / petition / motion.

In support of this application, I answer the following questions under penalty of perjury:

1. Are you currently incarcerated?: Yes No (If "No" go to Part 2)

If "Yes" state the place of your incarceration: _____

Are you employed at the institution? Yes No

Do you receive any payment from same? Yes: No

Notice to

Inmates: The Certificate portion of this affidavit must be completed.

2. Are you currently employed?: Yes No

a. If the answer is "Yes" state the amount of your take-home salary or wages and pay period and give the name and address of your employer.

b. If the answer is "No" state the date of your last employment, the amount of your take home salary or wages and the name and address of your last employer.

3. In the past twelve months have you received any money from any of the following sources?

a. Business, profession or other self employment Yes No

b. Rent payments, interest or dividends Yes No

c. Pensions, annuities or life insurance payments Yes No

