UNITED STATES DISTRICT COURT EASTERN DISTRICT OF MICHIGAN

Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 by a Person in Federal Custody

Purpose

This form is not to be used if you, the petitioner, claim that your federal sentence itself is unlawful. If you wish to attack your federal sentence, you should file a Motion to Vacate Sentence, 28 U.S.C. § 2255.

Notice: Any false statements of a material fact may serve as a basis for prosecution and conviction for perjury.

Filling out the form

Fill out the attached form and answer each item completely in the space provided. Be sure all answers are typewritten or legibly handwritten.

Additional Pages

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 providing briefs or arguments, they must be:

- on white 8 ½ by 11 paper, and
- securely attached to this form.

Filing Fee

For the current filing fee, consult the Fee Schedule on the court's website at www.mied.uscourts.gov. If you do not have the filing fee, you must:

- Complete the attached Application to Proceed In Forma Pauperis,
- Sign the application, and
- Have the application certified by an official of the institution in which you are imprisoned, indicating the amount of money and securities on deposit to your credit in any account in the institution. If your prisoner account exceeds \$150.00, the court will usually deny a request to file in forma pauperis.

Submitting Forms

When the petition is fully completed, mail the original and two (2) copies to:

Office of the Clerk United States District Court 231 W. Lafayette Boulevard, Fifth Floor Detroit, MI 48226

Failure to comply with all of the instructions will result in unnecessary delays

UNITED STATES DISTRICT COURT

	for the District of	_
Petitioner V.)) () () () () () () () () () () () ()	(Supplied by Clerk of Court)
Respondent me of warden or authorized person having custody of petitione	—) r)	

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

	a) Your full name:
	b) Other names you have used:
	lace of confinement:
`	a) Name of institution:
(1	b) Address:
(0	c) Your identification number:
A	are you currently being held on orders by:
	Federal authorities
A	are you currently:
	A pretrial detainee (waiting for trial on criminal charges)
	Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
	If you are currently serving a sentence, provide:
	(a) Name and location of court that sentenced you:
	(b) Docket number of criminal case:
	(c) Date of sentencing:
	Being held on an immigration charge
	Other (explain):

Decision or Action You Are Challenging

□How	re you challenging in this petition:
	y your sentence is being carried out, calculated, or credited by prison or parole authorities (for example,
revo	ocation or calculation of good time credits)
Pret	rial detention
□Imm	nigration detention
□Deta	ainer
□The	validity of your conviction or sentence as imposed (for example, sentence beyond the statutory
max	cimum or improperly calculated under the sentencing guidelines)
□Disc	ciplinary proceedings
Othe	er (explain):
	e more information about the decision or action you are challenging:
(a) Na	me and location of the agency or court:
(b) Dc	ocket number, case number, or opinion number:
	ecision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
(d) Da	ate of the decision or action:
	Your Earlier Challenges of the Decision or Action
First a	ppeal
Did yo	ou appeal the decision, file a grievance, or seek an administrative remedy?
	a appear the decision, the a grievance, or seek an administrative remedy?
□Yes	
	□No
	□ No "Yes," provide: (1) Name of the authority, agency, or court:
	□ No "Yes," provide: (1) Name of the authority, agency, or court:
	□No "Yes," provide: (1) Name of the authority, agency, or court: (2) Date of filing: (3) Docket number, case number, or opinion number:
	□No "Yes," provide: (1) Name of the authority, agency, or court: (2) Date of filing: (3) Docket number, case number, or opinion number: (4) Result:
	□No "Yes," provide: (1) Name of the authority, agency, or court: (2) Date of filing: (3) Docket number, case number, or opinion number: (4) Result: (5) Date of result:
	□No "Yes," provide: (1) Name of the authority, agency, or court: (2) Date of filing: (3) Docket number, case number, or opinion number: (4) Result:

(b) If <u>y</u>	you answered "No," explain why you did not appeal:
	appeal
	he first appeal, did you file a second appeal to a higher authority, agency, or court?
☐ Yes	_
(a) II	'Yes," provide:
	(1) Name of the authority, agency, or court:
	(2) Date of filing:
	(2) Date of filing: (3) Docket number, case number, or opinion number:
	(4) Result:
	(5) Date of result:
	(6) Issues raised:
(la) IC -	1 (N) 2 1 1 1 1 1 1 1
(b) If	you answered "No," explain why you did not file a second appeal:
(b) If	ou answered "No," explain why you did not file a second appeal:
Third :	you answered "No," explain why you did not file a second appeal: appeal he second appeal, did you file a third appeal to a higher authority, agency, or court?
Third :	appeal
Third at After the Green The Third at the	appeal he second appeal, did you file a third appeal to a higher authority, agency, or court?
Third at After the Green The Third at the	appeal he second appeal, did you file a third appeal to a higher authority, agency, or court? □No 'Yes," provide:
Third at After the Green The Gree	appeal he second appeal, did you file a third appeal to a higher authority, agency, or court?
Third at After the Green The Gree	appeal he second appeal, did you file a third appeal to a higher authority, agency, or court? No Yes," provide: (1) Name of the authority, agency, or court:
Third at After the Green The Gree	appeal he second appeal, did you file a third appeal to a higher authority, agency, or court? No Yes," provide: (1) Name of the authority, agency, or court:
Third at After the Green The Third at the	appeal he second appeal, did you file a third appeal to a higher authority, agency, or court? No Yes," provide: (1) Name of the authority, agency, or court: (2) Date of filing: (3) Docket number, case number, or opinion number:
Third at After the Green The Gree	appeal he second appeal, did you file a third appeal to a higher authority, agency, or court? No Yes," provide: (1) Name of the authority, agency, or court: (2) Date of filing: (3) Docket number, case number, or opinion number:

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(b) I	f you answered "No," ex	xplain why you did not file a third appeal:
Moti	on under 28 U.S.C. § 22	255
In thi	s petition, are you challe	nging the validity of your conviction or sentence as imposed?
□Yes	s 🗆 No	
If "Y	es," answer the followin	g:
(a)	Have you already file	d a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence
	□Yes	□No
	If "Yes," provide:	
	(1) Name of court:	
	(2) (211	
	(4) Result:	
	(5) Date of result:	
	(6) Issues raised:	
(b)	•	motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A) file a second or successive Section 2255 motion to challenge this conviction
	sentence?	
	☐ Yes	□No
	☐ Yes If "Yes," provide:	□ No
	If "Yes," provide:	
	If "Yes," provide: (1) Name of court:	
	If "Yes," provide: (1) Name of court: (2) Case number:	
	If "Yes," provide: (1) Name of court: (2) Case number:	
	If "Yes," provide: (1) Name of court: (2) Case number: (3) Date of filing:	

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(c)	-	edy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your	
	conviction or sentence	e:	
	als of immigration pro		
	his case concern immig	gration proceedings?	
☐ Yes			
	If "Yes," provide:		
(a)		into immigration custody:	
(b)	Date of the removal of		
(c)	Did you file an appeal with the Board of Immigration Appeals?		
	☐ Yes	□ No	
	If "Yes," provide:		
	(1) Date of filing:		
	(2) Case number: _		
	(3) Result:		
	(4) Date of result:		
	(5) Issues raised:		
	-		
(d)	Did you appeal the decision to the United States Court of Appeals?		
	□Yes	□ No	
	If "Yes," provide:		
	(1) Name of court:		
	(2) Date of filing:		
	(0) (1		
	(3) Case number:		

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	(5) Date of result:
	(6) Issues raised:
C	Other appeals
	Other than the appeals you listed above, have you filed any other petition, application, or motion about the aised in this petition?
	☐ Yes ☐ No
If	f "Yes," provide:
(a) Kind of petition, motion, or application:
(b) Name of the authority, agency, or court:
(c) Date of filing:
	d) Docket number, case number, or opinion number:
(e) Result:
(f) Date of result:
(g) Issues raised:
_	
_	
_	
_	
_	
	Grounds for Your Challenge in This Petition
S	state every ground (reason) that supports your claim that you are being held in violation of the Constitution
18	aws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the
fa	acts supporting each ground.
6	GROUND ONE:
_	
_	

(h) Did you n	resent Ground One in all appeals that were available to you?	
(b) Did you p □Yes	□ No	
GROUND TV	WO:	
(a) Supportin	g facts (Be brief. Do not cite cases or law.):	
(h) Did		
	resent Ground Two in all appeals that were available to you?	
	resent Ground Two in all appeals that were available to you?	
□Yes	□No	
(b) Did you p □Yes GROUND TH	□No	
□Yes	□No	
□Yes	□No	
□Yes GROUND TH	□No IREE:	
□Yes GROUND TH	□No	
□Yes GROUND TH	□No IREE:	
□Yes GROUND TH	□No IREE:	
□Yes GROUND TH	□No IREE:	
□Yes GROUND TH	□No IREE:	
□Yes GROUND TH	□No IREE:	

GR	OUND FOUR:
(a)	Supporting facts (Be brief. Do not cite cases or law.):
	Did you present Ground Four in all appeals that were available to you? Yes □ No
If the	here are any grounds that you did not present in all appeals that were available to you, explain why you continue:
	Request for Relief
ate e	xactly what you want the court to do:

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did	you place this petition in the prison mail system:
	etitioner, I have read this petition or had it read to me, and the understand that a false statement of a material fact may serve as the basis
Date:	
	Signature of Petitioner
	Signature of Attorney or other authorized person, if any