

PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY

(If petitioner is attacking a judgment which imposed a sentence to be served in the future, petitioner must fill in the name of the state where the judgment was entered. If petitioner seeks to attack a sentence to be served in the future under a federal judgment, petitioner should file a motion under 28 U.S.C. § 2255 in the federal court that entered the judgment.)

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN STATE CUSTODY
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.
- (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 oral arguments are submitted, they should be submitted in the form of a separate memorandum.
- (3) Upon receipt of a filing fee of \$5.00 your petition will be filed if it is in proper order.
- (4) If you do not have the necessary funds for transcripts, counsel, appeal, and other costs connected with this petition, you may request permission to proceed in forma pauperis, in which event you must complete and execute the Application to Proceed In Forma Pauperis by a Prisoner appended to this petition. You must have a prison or jail official complete the Certification section on the back of the application. If you submit an incomplete application, your request to proceed in forma pauperis will be denied.
- (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 in different states, you must file separate petitions as to each court.
- (6) 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, mail the original and at least two copies to:

Clerk of the U.S. District Court
for the Eastern District of California
501 I Street, Room 4-400
Sacramento, California 95814

- (8) Once the petition is filed, the court will review it and decide whether to order service of the petition on the respondent(s). You will be sent a copy of any order the court issues. Because of the large volume of cases filed by inmates pending in this court, the court WILL NOT ANSWER INQUIRIES concerning the status of your petition.

You must keep the Clerk of the Court informed of any change of address. If you fail to do so, the Clerk cannot be responsible for your failure to receive Court orders. This could result in the dismissal of your suit.

Please be advised that the court does not provide copies of documents to litigants. Copies of any volume may be obtained from Attorney's Diversified Services (ADS): 1424 21st Street, Sacramento, CA 95814. Their phone number is 916-448-8875. We will, however, provide copies of dockets at .50 per page. Checks in the exact amount are made payable to "Clerk, USDC." This charge also applies to litigants proceeding in forma pauperis. Therefore you must keep copies of all documents submitted to the court for your own records.