

**INFORMATION AND INSTRUCTIONS FOR FILING
A PETITION TO VACATE, SET ASIDE, OR CORRECT SENTENCE
UNDER 28 U.S.C. § 2255 (PERSONS IN FEDERAL CUSTODY)**

Attached are the forms you will need to file a petition pursuant to 28 U.S.C. § 2255 to vacate, set aside, or correct sentence (petition to vacate).

1. The petition to vacate must be typewritten or legibly handwritten. All questions must be answered clearly and concisely in the appropriate space on the form. You must sign the petition to vacate and the declaration under penalty of perjury. You are cautioned that any deliberately false statement of a material fact may serve as a basis for prosecution and conviction for perjury. You should exercise care to assure that all answers are true, correct and complete.

2. You must provide the court with an original and one copy of the petition to vacate. You should keep an additional copy of the petition to vacate for your own records. All copies of the petition to vacate must be identical to the original.

3. The law governing petitions to vacate pursuant to 28 U.S.C. § 2255 has changed dramatically. You should consult these statutory changes in 28 U.S.C. §§ 2244, 2253, and 2254, **as amended by**, Title I of the Antiterrorism and Effective Death Penalty Act of 1996, Pub. L. No. 104-132, §§ 101-106, 110 Stat. 1214 (Apr. 24, 1996).

4. The following list of the most frequently raised claims for relief in proceedings pursuant to 28 U.S.C. § 2255 is furnished for your information only. This list includes (a) conviction obtained by plea of guilty which was unlawfully induced or not made voluntarily with the understanding of the nature of the charge or the consequences of the plea, (b) conviction obtained by use of coerced confession, (c) conviction obtained by use of evidence gained pursuant to an unconstitutional search and seizure, (d) conviction obtained by use of evidence obtained pursuant to an unlawful arrest, (e) conviction obtained by a violation of the privilege against self-incrimination, (f) conviction obtained by the unconstitutional failure of the prosecution to disclose evidence favorable to the defendant, (g) conviction obtained by a violation of the protection against double jeopardy, (h) conviction obtained by the action of a grand or petit jury which was unconstitutionally selected and impaneled, (i) denial of effective assistance of counsel, (j) denial of right of appeal. This is not a complete list, and you may raise any other claims for relief you may have.

5. On a single petition to vacate, you may challenge the judgment of only one court. If you seek to challenge judgments entered by different judges or at different times, you must file separate petitions to vacate as to each judgment.

6. When your petition to vacate is completed, it should be mailed with the necessary copies to the Clerk's Office in the seat of court in which you were sentenced. The addresses of the three seats of court are: United States District Court, 915 Lafayette Boulevard, Bridgeport, CT 06604; United States District Court, 450 Main

Street, Hartford, CT 06103; United States District Court 141 Church Street, New Haven, CT 06510.

7. You must furnish an original of all other motions as well as pleadings, correspondence or other documentation submitted to the court for filing and consideration. In addition, you must furnish the opposing party or its attorney with a copy of all such documents submitted to the court. Each original document (except the original petition to vacate) must include a certificate stating the date a copy of the document was mailed to the opposing party or its attorney and the address to which it was mailed. Any document received which fails to include a certificate of service may be disregarded by the court or returned. An example of a certificate of service is:

I hereby certify that a copy of the foregoing pleading/document was mailed to _____ (opposing party or counsel for opposing party)
at _____ (address) on _____, _____ (date).

Original Signature of Petitioner

8. The United States District Judges, the United States Magistrate Judges, the Clerk of the Court, Deputy Clerks and Staff Attorneys are officers of the court and are prohibited from giving legal advice. Legal questions should be directed to an attorney.