

**INFORMATION AND INSTRUCTIONS FOR FILING
A PETITION FOR A WRIT OF HABEAS CORPUS
UNDER 28 U.S.C. § 2241 (PERSONS IN FEDERAL CUSTODY)**

Included are the forms you will need to file a petition for a writ of habeas corpus. You must pay the full filing fee or complete the attached motion for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915. Further instructions for completing these forms are provided below.

The Filing Fee and 28 U.S.C. § 1915

Prisoners seeking leave to proceed under 28 U.S.C. § 1915 must comply with the following procedures. A prisoner is any person incarcerated or detained in any facility.

1. The petition for a writ of habeas corpus must be accompanied by the full \$5.00 filing fee. If you want to commence an action without prepayment of fees or security therefor, you must file a motion for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915.
 - a) Under § 1915, you also must submit a certified copy of your trust fund account statement (or institutional equivalent) for the six-month period immediately preceding the filing of the habeas corpus petition. The certified copy of the trust fund account statement (or institutional equivalent) must be obtained from the appropriate official of each penal institution at which you are or were confined during the six-month period. The court cannot consider the merits of the claims asserted in any habeas corpus petition filed without either the \$5.00 filing fee or a properly completed motion and certified copy of your trust fund account statement (or institutional equivalent) as required by § 1915.
 - b) The motion for leave to proceed in forma pauperis pursuant to 28 U.S.C. § 1915 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 motion. You should exercise care to assure that all answers are true, correct and complete.
 - c) If the Court denies your motion to proceed in forma pauperis, you will be notified of this decision and given thirty days to submit the \$5.00 filing fee. If you do not pay the filing after you have been ordered to do so, your habeas corpus petition may be dismissed without prejudice.

The Habeas Corpus Petition

1. The habeas corpus petition 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 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.

- a) You must provide the court with an original and a copy of the habeas corpus petition to be served on each named respondent. You should keep an additional copy of the petition for your own records. All copies of the petition must be identical to the original.
- b) On a single habeas corpus petition, you may challenge the judgment of only one court. If you seek to challenge several judgments entered by different courts in different cases, you must file separate petitions as to each judgment.
- c) The United States District Court for the District of Connecticut (the Court) and the Connecticut Department of Corrections (DOC) participate in a Prisoner Electronic Filing Program that is available for all inmates currently incarcerated at a Connecticut DOC facility. Prisoners are to bring all documents to the designated counselor at the facility to scan to the Court for filing. All original documents presented for scanning should be stamped with the designated file stamp and returned to the inmate after scanning, as proof of receipt. Originals and/or copies should not be mailed to the Court after they have been submitted for scanning. Inmates who are incarcerated at a facility outside of the State of Connecticut or at Danbury FCI, should mail their filings to one of the offices below.

Office of the Clerk	Office of the Clerk	Office of the Clerk
U.S. District Court	U.S. District Court	U.S. District Court
915 Lafayette Boulevard	450 Main Street	141 Church Street
Bridgeport, CT 06604	Hartford, CT 06103	New Haven, CT 06510

If you mail your filings to the Court and you would like a file-stamped copy to be returned to you, you must provide one copy of your filing(s) and a self-addressed stamped envelope.

- d) 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. If counsel receives electronic notices from the Court, they will obtain a copy of filing when filed. If not, you will need to mail a copy (except the original petition to vacate) to the attorney(s). Either way, all future filings shall include the following language at the end.

CERTIFICATE OF SERVICE

I hereby certify that on ____ (date) _____ a copy of foregoing was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to ***[Below list the names and addresses of anyone unable to accept electronic filing]*** as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

List here:

Original Signature of Petitioner

- e) 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.