

**UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF FLORIDA**

**INSTRUCTIONS FOR FILING A PETITION FOR
WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. § 2241**

*Petitions under § 2241 will not be considered by the Court unless this
§ 2241 petition form is completed as explained below.*

Explanation and Instructions - Read Carefully

1. This petition must be legibly handwritten, typewritten, or computer generated, and signed by the petitioner under the penalty of perjury. Any false statement of a material fact may serve as the basis for prosecution for perjury. All questions must be answered concisely in the proper space on the form.
2. The petition must be accompanied by a \$5.00 filing fee or, if you are unable to pay the fee, a completed application form seeking leave to proceed *in forma pauperis*. As explained on the application form, if your account balance is \$25.00 or more, you will be unable to proceed *in forma pauperis*.
3. You should include all grounds for relief and a summary of the facts supporting each ground raised. You must answer all questions in the proper space on the form. You may submit additional pages to explain the facts upon which you rely to support your grounds for relief. CAUTION: Any claim that may be brought or has already been brought by motion under 28 U.S.C. § 2255 will not be entertained by this Court unless it appears that the § 2255 motion was or is inadequate or ineffective to test the legality of your detention. If you believe this is the case, you must explain why in the appropriate section of the petition form.
4. No citation of authorities need be furnished. If a brief or additional argument is submitted, it should be submitted in the form of a separate memorandum of law, not to exceed 25 pages in length absent prior leave of Court.
5. When the petition form is completed, the original must be filed with the Court along with a copy for each respondent, plus two additional copies for service upon the United States.
6. The petition and all attachments must be mailed to one of the addresses listed below, whichever is closer to your current place of incarceration:

Cases to be filed in the Tallahassee Division: CLERK, U.S. DISTRICT COURT 111 N. ADAMS STREET SUITE 322 TALLAHASSEE, FLORIDA 32301-7730	Cases to be filed in the Gainesville Division: CLERK, U.S. DISTRICT COURT 401 S.E. FIRST AVENUE ROOM 243 GAINESVILLE, FLORIDA 32601-6895
Cases to be filed in the Pensacola Division: CLERK, U.S. DISTRICT COURT 1 NORTH PALAFOX STREET, ROOM 226 PENSACOLA, FLORIDA 32502-5658	Cases to be filed in the Panama City Division: CLERK, U.S. DISTRICT COURT 1 NORTH PALAFOX STREET, ROOM 226 PENSACOLA, FLORIDA 32502-5658
7. Petitioner is advised that respondent is not required to respond to the petition unless ordered by the Court and that default is inappropriate in habeas corpus proceedings. Once the Court has ordered a response and counsel for respondent has appeared in the case, any documents you file with the Court must also be sent to counsel. All filings must include a certificate of service stating the date that a copy was served or mailed to counsel.
8. After receiving notice of your case number from the clerk, you must include the case number on all documents you file with the Court. You must keep a copy of every document you send to the Court as you are not entitled to free copies from the clerk even if you are proceeding in forma pauperis. You must immediately advise the Court of any change of address by filing a "Notice to the Court of Change of Address." This notice should contain the address change and the effective date and must be signed. FAILURE TO NOTIFY THE COURT OF ANY CHANGE OF ADDRESS COULD RESULT IN THE DISMISSAL OF YOUR PETITION.