MOTION UNDER 28 U.S.C. § 2255 TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN FEDERAL CUSTODY

Unit	ed States District Court	District				
Name	(under which you were convicted):			Docket or Case No.:		
Place	of Confinement:		Prisoner No.:			
UNIT	UNITED STATES OF AMERICA		Movan	(include name under which convicted)		
		MOTION	N			
1.	(a) Name and location of court which en	tered the judgmen	nt of convictio	you are challenging:	_	
					_	
	(b) Criminal docket or case number (if	you know):				
2.	(a) Date of the judgment of conviction	(if you know): _				
	(b) Date of sentencing:					
3.	Length of sentence:					
4.	Nature of crime (all counts):					
					_	
					_	
5.	(a) What was your plea? (Check one) (1) Not guilty	(2) Guilty [(3) Nolo contendere (no contest)		
	(b) If you entered a guilty plea to one couwhat did you plead guilty to and what			plea to another count or		
					<u> </u>	
					_	
6.	If you went to trial, what kind of trial did	d vou have? (Che	eck one)	Jury Judge only	1	

Did you testify at a pretrial hearing, trial, or post-trial hearing? Yes No No
Did you appeal from the judgment of conviction? Yes No
If you did appeal, answer the following:
(a) Name of court:
(b) Docket or case number (if you know):
(c) Result:
(d) Date of result (if you know):
(e) Citation to the case (if you know):
(f) Grounds raised:
(g) Did you file a petition for certiorari in the United States Supreme Court? Yes No
If "Yes," answer the following:
(1) Docket or case number (if you know):
(2) Result:
(3) Date of result (if you know):
(4) Citation to the case (if you know):
(5) Grounds raised:
(6) 610 1111 1111 1111 1111 1111 1111 111
Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications, concerning this judgment of conviction in any court?
applications, concerning and judgment of conviction in any court.
Yes No No
If your answer to Question 10 was "Yes," give the following information:
(a) (1) Name of court:
(2) Docket or case number (if you know):
(3) Date of filing (if you know):

	(4) Nature of the proceeding:
	(5) Grounds raised:
	(6) Did you receive a hearing where evidence was given on your motion, petition, or application? Yes No
	(7) Result:
	(8) Date of result (if you know):
(b)	If you filed any second motion, petition, or application, give the same information:
	(1) Name of court:
	(2) Docket of case number (if you know):
	(3) Date of filing (if you know):
	(4) Nature of the proceeding:
	(5) Grounds raised:
	(6) Did you receive a hearing where evidence was given on your motion, petition, or application? Yes No
	(7) Result:
	(8) Date of result (if you know):
(c)	Did you appeal to a federal appellate court having jurisdiction over the action taken on your motion, petition, or application
	(1) First petition: Yes No

C	or this motion, state every ground on which you claim that you are being held in violation of the onstitution, laws, or treaties of the United States. Attach additional pages if you have more than four rounds. State the <u>facts</u> supporting each ground.
UN	D ONE:
(a	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):
_	
_	
_	
(b	b) Direct Appeal of Ground One:
	(1) If you appealed from the judgment of conviction, did you raise this issue? Yes No
	(2) If you did not raise this issue in your direct appeal, explain why:
	(2) If you did not faise this issue in your direct appear, explain why.
(c	e) Post-Conviction Proceedings:
(c	(1) Did you raise this issue in any post-conviction motion, petition, or application?
(c	-
(c	(1) Did you raise this issue in any post-conviction motion, petition, or application?
(c	(1) Did you raise this issue in any post-conviction motion, petition, or application? Yes No

	Docket or case number (if you know):
	Date of the court's decision:
	Result (attach a copy of the court's opinion or order, if available):
_	
•	(3) Did you receive a hearing on your motion, petition, or application?
	Yes No No
	(4) Did you appeal from the denial of your motion, petition, or application?
	Yes No No
	(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?
	Yes No No
	(6) If your answer to Question (c)(4) is "Yes," state:
	Name and location of the court where the appeal was filed:
•	Docket or case number (if you know):
	Date of the court's decision:
	Result (attach a copy of the court's opinion or order, if available):
•	
•	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:
•	
•	
•	
•	
•	
ND	TWO:
(a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):

	Direct Appeal of Ground Two:						
	(1) If you appealed from the judgment of conviction, did you raise this issue?						
	Yes No No						
	(2) If you did not raise this issue in your direct appeal, explain why:						
•	Post-Conviction Proceedings:						
	(1) Did you raise this issue in any post-conviction motion, petition, or application? Yes No						
	(2) If you answer to Question (c)(1) is "Yes," state:						
	Type of motion or petition:						
	Name and location of the court where the motion or petition was filed:						
•	Docket or case number (if you know):						
	Date of the court's decision:						
	Result (attach a copy of the court's opinion or order, if available):						
•	(3) Did you receive a hearing on your motion, petition, or application?						
	Yes No No						
	(4) Did you appeal from the denial of your motion, petition, or application?						
	Yes No No						
	Yes No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?						
	Yes No No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No No						
	Yes No						
	Yes No No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No No						
	Yes No No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed:						
	Yes No No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed:						
•	Yes No No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed: Docket or case number (if you know): Date of the court's decision:						
•	Yes No No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed:						
•	Yes No No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed: Docket or case number (if you know): Date of the court's decision:						

	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:						
UND	THREE:						
(a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):						
(b)	Direct Appeal of Ground Three:						
	(1) If you appealed from the judgment of conviction, did you raise this issue? Yes No						
	(2) If you did not raise this issue in your direct appeal, explain why:						
(c)	Post-Conviction Proceedings:						
	(1) Did you raise this issue in any post-conviction motion, petition, or application? Yes No						
	(2) If you answer to Question (c)(1) is "Yes," state:						
	Type of motion or petition:						
	Name and location of the court where the motion or petition was filed:						
	Docket or case number (if you know):						
	Date of the court's decision:						

	Result (attach a copy of the court's opinion or order, if available):					
_						
	(3) Did you receive a hearing on your motion, petition, or application?					
	Yes No No					
	(4) Did you appeal from the denial of your motion, petition, or application?					
	Yes No No					
	(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?					
	Yes No					
	(6) If your answer to Question (c)(4) is "Yes," state:					
	Name and location of the court where the appeal was filed:					
-	Docket or case number (if you know):					
	Date of the court's decision:					
	Result (attach a copy of the court's opinion or order, if available):					
_						
_						
	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or rathis issue:					
	tills issue.					
-						
-						
-						
_						
-						
D	FOUR:					
ı)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
a)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
n)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
n)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
n)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					
L)	Supporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):					

)]	Direct Appeal of Ground Four:							
((1) If you appealed from the judgment of conviction, did you raise this issue? Yes No No (2) If you did not raise this issue in your direct appeal, explain why: 							
(
) -	Post-Conviction Proceedings:							
_	(1) Did you raise this issue in any post-conviction motion, petition, or application?							
	Yes No							
1	(2) If you answer to Question (c)(1) is "Yes," state:							
,	Type of motion or petition:							
]	Name and location of the court where the motion or petition was filed:							
_	Docket or case number (if you know):							
	Docket of case named (if you know).							
	Date of the court's decision:							
]								
]	Date of the court's decision:							
]	Date of the court's decision:							
]	Date of the court's decision:							
]	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available):							
]	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application?							
]	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No							
]	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No (4) Did you appeal from the denial of your motion, petition, or application?							
]	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No							
]	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No (4) Did you appeal from the denial of your motion, petition, or application? Yes No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?							
	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No (4) Did you appeal from the denial of your motion, petition, or application? Yes No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6)							
	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No No (4) Did you appeal from the denial of your motion, petition, or application? Yes No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed:							
	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No No (4) Did you appeal from the denial of your motion, petition, or application? Yes No No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed:							
	Date of the court's decision: Result (attach a copy of the court's opinion or order, if available): (3) Did you receive a hearing on your motion, petition, or application? Yes No No (4) Did you appeal from the denial of your motion, petition, or application? Yes No (5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal? Yes No (6) If your answer to Question (c)(4) is "Yes," state: Name and location of the court where the appeal was filed:							

	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:
13.	Is there any ground in this motion that you have <u>not</u> previously presented in some federal court? If so, which ground or grounds have not been presented, and state your reasons for not presenting them:
	•
14.	Do you have any motion, petition, or appeal <u>now pending</u> (filed and not decided yet) in any court for the judgment you are challenging?
	Yes No No II If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issues raised.
15.	Give the name and address, if known, of each attorney who represented you in the following stages of the judgment you are challenging:
	(a) At the preliminary hearing:
	(b) At the arraignment and plea:
	(c) At the trial:
	(d) At sentencing:

(e) On ap	ppeal:
(f) In any	y post-conviction proceeding:
(g) On ap	opeal from any ruling against you in a post-conviction proceeding:
Were you	sentenced on more than one court of an indictment, or on more than one indictment, in the same at the same time?
court and	
	Yes No
Do you h	ave any future sentence to serve after you complete the sentence for the judgment that you are
challengin	ng? Yes No No
(a) If so,	give name and location of court that imposed the other sentence you will serve in the future:
(h) Give	the date the other sentence was imposed:
(0) 0110	•
	the length of the other sentence:
(c) Give	the length of the other sentence: you filed, or do you plan to file, any motion, petition, or application that challenges the judgment

OF MOTION: he one-year statu			

A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of –

- (1) the date on which the judgment of conviction became final;
- (2) the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action;
- (3) the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or
- (4) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.

^{*} The Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2255, paragraph 6, provides in part that:

Therefore, movant asks that the Court grant the following relie	ef:
or any other relief to which movant may be entitled.	
	Signature of Attorney (if any)
declare (or certify, verify, or state) under penalty of perjury the	
Motion under 28 U.S.C. § 2255 was placed in the prison mailing	(month, date, year)
Executed (signed) on	(date).
	Signature of Movant
If the person signing is not movant, state relationship to movar	nt and explain why movant is not signing this motion.