

**UNITED STATES DISTRICT COURT  
DISTRICT OF CONNECTICUT**

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

\_\_\_\_\_, Petitioner,  
Full Name and Prisoner Number

Case No. \_\_\_\_\_  
(To be supplied by the Court)

\_\_\_\_\_  
Complete Prison Address (Place of Confinement)

\_\_\_\_\_  
\_\_\_\_\_

v.

United States of America \_\_\_\_\_

**CONVICTION UNDER ATTACK**

(If petitioner is attacking a sentence based on a federal conviction to be served in the future, the petition should be filed in the federal court which entered the judgment.)

1) Name and location of the court which entered the judgment of conviction under attack: \_\_\_\_\_

\_\_\_\_\_

2) Date judgment of conviction was entered \_\_\_\_\_

3) Case number \_\_\_\_\_

4) Length and term of sentence \_\_\_\_\_

5) Are you presently serving a sentence imposed for a conviction other than the conviction under attack in this motion? Yes \_\_\_ No \_\_\_

6) Name of judge who imposed sentence under attack in this petition \_\_\_\_\_

7) Nature of the offense involved (all counts) \_\_\_\_\_

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8) What was your plea? (check one)  
Not guilty \_\_\_ Guilty \_\_\_ Nolo Contendere \_\_\_

9) If you entered a guilty plea to one count or indictment, and a not guilty plea to another count or indictment, give details:

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10) If you entered a plea of guilty pursuant to a plea bargain, state the terms and conditions of the agreement \_\_\_\_\_

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11) Kind of trial (check one) Jury \_\_\_ Judge only \_\_\_

12) Did you testify at trial? Yes \_\_\_ No \_\_\_

### **DIRECT APPEAL**

13) Did you appeal from the judgment of conviction? Yes \_\_\_ No \_\_\_

14) If you did appeal, answer the following questions:  
(a) Give the name and location of the court where the appeal was filed, the result, the case number and date of the court's decision (or attach a copy of the court's opinion or order): \_\_\_\_\_

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(b) State the issues raised: \_\_\_\_\_

15) If you did not appeal, explain briefly why you did not: \_\_\_\_\_

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### POST-CONVICTION PROCEEDINGS

16) Other than a direct appeal from the judgment of conviction and sentence, have you previously filed any petitions, applications, or motions with respect to this judgment in any federal court? Yes \_\_\_ No \_\_\_

17) If your answer to 16 was "Yes," give the following information:

a) FIRST petition, application or motion.

1. Name of court \_\_\_\_\_

2. Nature of proceeding \_\_\_\_\_

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3. Claims raised \_\_\_\_\_

4. Did you receive an evidentiary hearing on your petition, application or motion? Yes \_\_\_ No \_\_\_

5. Result \_\_\_\_\_

6. Date of result \_\_\_\_\_

7. Did you appeal the result to the federal appellate court having jurisdiction? Yes \_\_\_ No \_\_\_ If you did appeal, give the name of the court where the appeal was filed, the result, the case number, citation and date of the court's decision (or attach a copy of the court's opinion or order)

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8. If you did not appeal, briefly explain why you did not \_\_\_\_\_

\_\_\_\_\_

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b) As to any SECOND petition, application or motion, give the following information:

1. Name of court \_\_\_\_\_

2. Nature of proceeding \_\_\_\_\_

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3. Claims raised \_\_\_\_\_

\_\_\_\_\_

4. Did you receive an evidentiary hearing on your petition, application or motion? Yes \_\_\_ No \_\_\_

5. Result \_\_\_\_\_

6. Date of result \_\_\_\_\_

7. Did you appeal the result to the federal appellate court having jurisdiction? Yes \_\_\_ No \_\_\_ If you did appeal, give the name of the court where the appeal was filed, the result, the case number, citation and date of the court's decision (or attach a copy of the court's opinion or order) \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. If you did not appeal, briefly explain why you did not \_\_\_\_\_

\_\_\_\_\_

c) As to any THIRD petition, application or motion, give the following information:

1. Name of court \_\_\_\_\_

2. Nature of proceeding \_\_\_\_\_

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3. Claims raised \_\_\_\_\_

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4. Did you receive an evidentiary hearing on your petition, application or motion? Yes \_\_\_ No \_\_\_

5. Result \_\_\_\_\_

6. Date of result \_\_\_\_\_

7. Did you appeal the result to the federal appellate court having jurisdiction? Yes \_\_\_ No \_\_\_ If you did appeal, give the name of the court where the appeal was filed, the result, the case number, citation and date of the court's decision (or attach a copy of the court's opinion or order) \_\_\_\_\_

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8. If you did not appeal, briefly explain why you did not \_\_\_\_\_

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**CLAIMS**

18) State concisely every claim that you are being held unlawfully. Summarize briefly the facts supporting each claim. If necessary, you may attach extra pages stating additional claims and supporting facts. You should raise in this petition all claims for relief which relate to the conviction under attack.

**Claim One:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(1) Supporting Facts: (Without citing legal authorities or argument state briefly the facts in support of this claim)

**Claim Two:** \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

(1) Supporting Facts: (Without citing legal authorities or argument state briefly the facts in support of this claim)

**Claim Three:** \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
(1) Supporting Facts: (Without citing legal authorities or argument state briefly the facts in support of this claim)

19) If any of the claims listed in 16 were not previously presented, state briefly what claims were not so presented, and give your reasons for not presenting them: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
20) Do you have any petition, application, motion or appeal now pending in any court, either state or federal, regarding the conviction under attack?  
Yes \_\_\_ No \_\_\_. If "Yes," state the name of the court, case file number (if known), and the nature of the proceeding: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**SUCCESSIVE PETITIONS**

21) If you have filed a prior petition and are raising in this petition a claim which you did not present in a prior petition or motion, have you obtained an order from the United States Court of Appeals for the Second Circuit authorizing this district court to consider the petition. Yes \_\_\_ No \_\_\_. Please attach a copy of the order.

**LEGAL REPRESENTATION**

22) Give the name and address, if known, of each attorney who represented you in the following stages of the judgment attacked herein:

(a) At preliminary hearing \_\_\_\_\_

\_\_\_\_\_

(b) At arraignment and plea \_\_\_\_\_

\_\_\_\_\_

(c) At trial \_\_\_\_\_

\_\_\_\_\_

(d) At sentencing \_\_\_\_\_

\_\_\_\_\_

(e) On appeal \_\_\_\_\_

\_\_\_\_\_

(f) In any post-conviction proceeding \_\_\_\_\_

\_\_\_\_\_

(g) On appeal from any adverse ruling in a post-conviction proceeding \_\_\_\_\_

\_\_\_\_\_

**OTHER CONVICTIONS**

23) Were you sentenced on more than one count of an indictment or on more than one indictment, in the same court and at the same time? Yes \_\_\_ No \_\_\_

24) Do you have any future sentence to serve after you complete the sentence imposed by the judgment under attack? Yes \_\_\_ No \_\_\_

(a) If so, give name and location of court which imposed sentence to be served in the future \_\_\_\_\_

\_\_\_\_\_

(b) and give date and length of service to be served in the future \_\_\_\_\_

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(c) Have you filed, or do you contemplate filing, any petition attacking the judgment which imposed the sentence to be served in the future? Yes \_\_\_ No \_\_\_

Wherefore, petitioner prays that the Court grant him such relief to which he may be entitled in this proceeding.

\_\_\_\_\_  
Signature of Attorney (if any)

\_\_\_\_\_  
**Petitioner's Original Signature**

\_\_\_\_\_

\_\_\_\_\_  
Petitioner's Inmate Number

\_\_\_\_\_

\_\_\_\_\_  
Attorney's Full Address and  
Telephone Number

### DECLARATION UNDER PENALTY OF PERJURY

The undersigned declares under penalty of perjury that he/she is the petitioner in this action, that he/she has read this petition and that the information contained in the petition is true and correct. 28 U.S.C. § 1746; 18 U.S.C. § 1621.

Executed at \_\_\_\_\_ on \_\_\_\_\_.  
(Location) (Date)

\_\_\_\_\_  
**Petitioner's Original Signature**