

**Petition for a Writ of Habeas Corpus
Under 28 U.S.C. § 2241**

Instructions

1. To use this form, you must typically be a state or federal prisoner challenging the way your sentence is being carried out, be illegally held in federal or state custody because of something other than a judgment of conviction, be illegally detained in immigration custody, or be a federal prisoner alleging that you meet the “savings clause” of 28 U.S.C. § 2255(e).
2. Your petition should be filed in this court if you are confined in: Chatham, Durham, Lee, Orange, Person, Alamance, Caswell, Guilford, Randolph, Rockingham, Hoke, Montgomery, Richmond, Scotland, Cabarrus, Davidson, Davie, Rowan, Stanly, Forsyth, Stokes, Surry, or Yadkin County in North Carolina.
3. You should name as the respondent the authorized state or federal officer having custody of you.
4. If you are currently confined in another state or in other counties in North Carolina then your petition should be filed in the federal court for that state or that part of the state where you are confined.
5. All questions must be answered clearly and concisely. You must tell the truth and sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
6. CAUTION: You must include in this petition all the grounds for relief you wish to raise in relation to the challenged sentence, conviction, or detention. You must state the facts that support each ground. If you fail to set out all the grounds in this petition, you may be barred from presenting additional grounds at a later date.
7. You do not need to cite law. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit a brief or arguments, you must submit them in a separate memorandum which is limited to 20 pages.
8. Make sure the form is typed or neatly and legibly written, with proper margins. All filings must include your original signature. If needed, you may attach additional pages. If the additional pages are typewritten, they must be double spaced. All filings must be submitted on paper sized 8 ½ x 11 inches. Do not use the back of any page.
9. You must include the \$5.00 filing fee required by 28 U.S.C. § 1914(a). If the present balance of your Trust Account equals or exceeds \$10.00, you should pay the filing fee at the time of filing the petition. If you do not have the funds to pay the filing fee, you may request permissions to proceed *in forma pauperis* by completing this Court’s Declaration and Request to Proceed In Forma Pauperis application.

4/2017

10. Mail your original petition and two (2) copies (identical to the original), filing fee or *in forma pauperis* Application, and any other additional filings pertaining to the 2241 to the Clerk of the United States District Court for the Middle District of North Carolina at this address:

Clerk, U.S. District Court for the
Middle District of North Carolina
324 W. Market Street
Greensboro, NC 27401

11. If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file stamp it and return it to you.
12. If at any time during the course of your case your address changes, you must immediately notify this court of your new address in writing or the action could be dismissed without notice to you.