

**Motion to Vacate, Set Aside, or Correct a Sentence
By a Person in Federal Custody
(Motion under 28 U.S.C. § 2255)**

Instructions

1. To use this form, you must be serving a sentence under a judgment against you in a federal court and seeking relief from the conviction or the sentence. This form is your motion for relief.
2. You must file the form in the United States District Court that entered the judgment that you are challenging. If you want to challenge a federal judgment that imposed a sentence to be served in the future, you should file the motion in the federal court that entered that judgment.
3. In this motion, you may challenge only one judgment. If you want to challenge another judgment entered by a different judge or division (either in the same district or in a different district), you must file a separate motion.
4. If you have previously filed a petition for relief under Section 2255, you may not ordinarily file another petition regarding the same conviction until you receive permission from the Fourth Circuit Court of Appeals. Complete instructions, application forms, and other information may be obtained from the Fourth Circuit Court of Appeals website or by writing to: Clerk of Court, US Court of Appeals, Fourth Circuit, US Courthouse Annex, Room 501, 1100 East Main Street, Richmond, VA 23219-2441.
5. CAUTION: You must include in this petition all the grounds for relief from the conviction or sentence that you challenge. You must state the facts that support each ground. You are ordinarily allowed to file only one habeas petition. Second or successive petitions would require you to obtain permission before proceeding. Once you file this petition, you may be barred from presenting additional grounds at a later date, so be sure to set forth all of the grounds you want to raise.
6. All questions must be answered clearly and concisely. You must tell the truth and you must sign the form. If you make a false statement of a material fact, you may be prosecuted for perjury.
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 not exceeding 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. There is no filing fee charged with the filing of a 2255 motion and no *in forma pauperis* applications need to be submitted.
10. Mail the original petition and two (2) copies (identical to the original), and any other additional filings pertaining to the 2255 to the Clerk of the United States District Court at this address:

Clerk of Court, US District Court
North Carolina Middle District
324 W. Market Street
Greensboro, NC 27401

If you want a file stamped copy of the petition, you must enclose an additional copy of the petition, a self-addressed stamped envelope, and ask the court to file stamp it and return it to you.

11. 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.