

\_\_\_\_\_  
Name and Prisoner Number/Alien Registration Number

\_\_\_\_\_  
Place of Confinement

\_\_\_\_\_  
Mailing Address

\_\_\_\_\_  
City, State, Zip Code

**(Failure to notify the Court of your change of address may result in dismissal of this action.)**

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF HAWAII

\_\_\_\_\_,  
(Full Name of Petitioner)

Petitioner,

vs.

\_\_\_\_\_,  
(Name of Warden, Jailor or authorized person  
having custody of Petitioner)

Respondent(s),  
\_\_\_\_\_

) CASE NO. \_\_\_\_\_  
)  
) (To be supplied by the Clerk)

**PETITION UNDER 28 U.S.C. § 2241  
FOR A WRIT OF HABEAS CORPUS**

AMENDED PETITION

**PETITION**

1. What are you challenging in this petition?
- Immigration detention
  - Bureau of Prisons sentence calculation or loss of good-time credits
  - Probation, parole or supervised release
  - State Pre-trial detention
  - Other (explain): \_\_\_\_\_

2. (a) Name and location of the agency or court that made the decision you are challenging: \_\_\_\_\_

(b) Case or opinion number: \_\_\_\_\_

(c) Decision made by the agency or court: \_\_\_\_\_

(d) Date of the decision: \_\_\_\_\_

3. Did you appeal the decision to a higher agency or court? Yes  No

If yes, answer the following:

(a) First appeal:

(1) Name of the agency or court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Second appeal:

(1) Name of the agency or court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(c) Third appeal:

(1) Name of the agency or court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

4. If you did not appeal this decision to a higher agency or court, explain why you did not: \_\_

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

5. Other than the appeals listed above, have you filed any other petitions, applications or motions concerning the issues raised in this petition? Yes  No

If yes, answer the following:

(a) Name of the Agency or court: \_\_\_\_\_

(b) Date you filed: \_\_\_\_\_

(c) Opinion or case number: \_\_\_\_\_

(d) Result: \_\_\_\_\_

(e) Date of result: \_\_\_\_\_

(f) Issues raised: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

6. For this petition, **state every ground on which you claim that you are being held in violation of the Constitution, laws, or treaties of the United States.** Attach additional pages if you have more than four grounds. State the facts supporting each ground.

**CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) any available administrative or judicial remedies on each ground on which you requested action by the federal court.**

GROUND ONE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) Did you exhaust all available administrative or judicial remedies relating to Ground One?  
Yes  No

(c) If yes, did you present the issue to:  
 The Board of Immigration Appeals  
 The Office of General Counsel  
 The Parole Commission  
 The State Court  
 Other: \_\_\_\_\_

(d) If you did not exhaust all available remedies relating to Ground One, explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GROUND TWO: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

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

(b) Did you exhaust all available administrative or judicial remedies relating to Ground Two?  
Yes  No

(c) If yes, did you present the issue to:  
 The Board of Immigration Appeals  
 The Office of General Counsel  
 The Parole Commission  
 The State Court  
 Other: \_\_\_\_\_

(d) If you did not exhaust all available remedies relating to Ground Two, explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GROUND THREE: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(b) Did you exhaust all available administrative or judicial remedies relating to Ground Three?  
Yes       No

(c) If yes, did you present the issue to:  
 The Board of Immigration Appeals  
 The Office of General Counsel  
 The Parole Commission  
 The State Court  
 Other: \_\_\_\_\_

(d) If you did not exhaust all available remedies relating to Ground Three, explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

GROUND FOUR: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.): \_\_\_\_\_

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

(b) Did you exhaust all available administrative or judicial remedies relating to Ground Four?  
Yes  No

(c) If yes, did you present the issue to:  
 The Board of Immigration Appeals  
 The Office of General Counsel  
 The Parole Commission  
 The State Court  
 Other: \_\_\_\_\_

(d) If you did not exhaust all available remedies relating to Ground Four, explain why: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

**Please answer these additional questions about this petition:**

7. Are you challenging your conviction or sentence in any of the grounds raised above?

Yes  No

(Claims challenging a federal conviction or sentence may only be raised in a motion under 28 U.S.C. § 2255, unless the § 2255 motion is legally inadequate or ineffective. Claims raised by any state prisoner who has been convicted and sentenced must be raised in a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2254.)

If yes, answer the following:

(a) Having you filed a motion under 28 U.S.C. § 2255? Yes  No

If yes, answer the following:

(1) Name of court: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Opinion or case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

\_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

(b) Explain why the remedy under § 2255 is inadequate or ineffective: \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

8. If this case concerns immigration removal proceedings, answer the following:

(a) Date you were taken into immigration custody: \_\_\_\_\_

(b) Date of removal or reinstatement order: \_\_\_\_\_

(c) Did you file an appeal with the Board of Immigration Appeals? Yes  No

(1) Date you filed: \_\_\_\_\_

(2) Case number: \_\_\_\_\_

(3) Result: \_\_\_\_\_



(4) Date of result: \_\_\_\_\_

(5) Issues raised: \_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

9. If this petition concerns your pre-trial custody by the State of Hawaii, answer the following:

(a) Date you were arrested: \_\_\_\_\_

(b) Charge(s) brought: \_\_\_\_\_

(c) Projected date of your trial: \_\_\_\_\_

(d) Are you represented by counsel? Yes  No

(e) Have you raised your claims in the State Court? Yes  No

(1) Name of Court: \_\_\_\_\_

(2) Date you filed: \_\_\_\_\_

(3) Case number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

**Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.**

10. Petitioner asks that the Court grant the following relief: \_\_\_\_\_

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

or any other relief to which Petitioner may be entitled. (Money damages are not available in habeas corpus cases.)

I declare under penalty of perjury that the forgoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on \_\_\_\_\_ (month, day, year).

\_\_\_\_\_  
**Signature of Petitioner**

\_\_\_\_\_  
Signature of attorney, if any

\_\_\_\_\_  
Date