

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

(If movant has a sentence to be served in the future under a federal judgment which he wishes to challenge, he should file a motion in the federal court which entered the judgment.)

**MOTION TO VACATE, SET ASIDE, OR CORRECT SENTENCE BY A PERSON IN
FEDERAL CUSTODY**

- (1) This motion must be legibly handwritten or typed and signed by the movant under penalty of perjury. Any false statement of a material fact may serve as the basis for prosecution and conviction for perjury. All questions must be answered concisely in the proper space on the form.
- (2) Additional pages are not permitted except with respect to the facts which you rely upon to support your grounds for relief. No citation of authorities need be furnished. If briefs or arguments are submitted, they should be submitted in the form of a separate memorandum.
- (3) Upon receipt, your motion will be filed if it is in proper form. No fee is required with this motion.
- (4) If you do not have the necessary funds for transcripts, counsel, appeal, and other costs connected with a motion of this type, you may request permission to proceed *in forma pauperis*, setting forth information establishing your inability to pay the costs. The form Affidavit in Support of Request to Proceed In Forma Pauperis; Authorized Withdrawal Form; Certified Affidavit of Inmate Account Status, must be attached. If you wish to proceed *in forma pauperis*, you must have an authorized officer at the penal institution complete the certificate as to the amount of money and securities on deposit to your credit in any account in the institution.
- (5) Only judgments entered under a single criminal docket number may be challenged in a single motion. If you seek to challenge judgments entered by different judges or divisions either in the same district or in different districts, you must file separate motions as to each judgment.
- (6) You must include all grounds for relief and all facts supporting such grounds for relief in your motion seeking relief from any judgment of conviction. Legal argument and citation to case law is discouraged.
- (7) When the motion is fully completed, the original and at least one copy must be mailed to the Clerk of the United States District Court whose address is:

Office of the Clerk
United States District Court
Northern District of Georgia
2211 U.S. Courthouse
75 Ted Turner Drive, S.W.
Atlanta, GA 30303-3361

- (8) Motions which do not conform to these instructions will be returned with a notation as to the deficiency.

"This information is provided as a service to the public. While the information deals with legal issues, it does not constitute legal advice. Due to the rapidly changing nature of the law and court procedures, we rely on some information provided by outside sources. Although we make every effort to ensure the information is correct, the Clerk's Office does not warranty or guarantee the accuracy of the information provided. If you have specific legal questions or concerns, we encourage you to consult an attorney who can address and advise you on the particular circumstances of your situation. In no event will the Clerk's Office be liable to any party in any way relating to the availability, use, reliance on or inability to use the provided information or forms, or for any claim attributable to errors, omissions or other inaccuracies in any information provided. "