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

In the United States District Court for the	Northern District	of Georgia
Name (under which you were convicted):		Docket or Case No.:
Place of Confinement:		Prisoner No.:
UNITED STATES OF AMERICA v.	MOVANTO	
MOTION	MOVANT (inclu	de name under which convicted)
(a) Name and location of court which entered the judgment of co	nviction you are ch	nallenging:
(b) Criminal docket or case number (if you know):		
2. (a) Date of the judgment of conviction (if you know):		
(b) Date of sentencing:		
3. Length of sentence:		
4. Nature of crime (all counts):		
5. (a) What was your plea? (Check one) (1) Not guilty   (b) If you entered a guilty plea to one count or indictment, and a modern what did you plead guilty to and what did you plead not guilty to an account of the country of the co	not guilty plea to an	nother count or indictment,
6. If you went to trial, what kind of trial did you have? (Check one)	Jury □	Judge only □
7. Did you testify at a pretrial hearing, trial, or post-trial hearing?	Yes □	No □
8. Did you appeal from the judgment of conviction?	Yes □	No □

9. I	f you did appeal, answer the following:						
(;	a) Name of court:						
(1	b) Docket or case number (if you know):						
(							
(							
(							
(1	) Grounds raised:						
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_							
_							
_							
_	a) Didaga Cila analikian fana anii anii in dha Haika i Custa Cananan Canada						
(;	g) Did you file a petition for certiorari in the United States Supreme Court?  Yes  No  No  No  No  No  No  No  No  No  No						
	If "Yes," answer the following:						
	(1) Docket or case number (if you know):						
	(2) Result:						
	(3) Date of result (if you know):						
	(4) Citation to the case (if you know):						
	(5) Grounds raised:						
10.	Other than the direct appeals listed above, have you previously filed any other motions, petitions, or applications,						
	concerning this judgment of conviction in any court?						
	Yes □ No □						
11	If your answer to Question 10 was "Yes," give the following information:						
11.	(a) (1) Name of court:						
	(2) Docket or case number (if you know):						
	(3) Date of filing (if you know):						
	- · · · · · · · · · · · · · · · · · · ·						
	(4) Nature of the proceeding:						

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	(5) Grounds raised:						
	· ,						
		-					
	(6) Did you receive a h	earing wher	e evidence was	given on your motion, petition, or application?			
	Yes □	No □					
	` '						
	(8) Date of result (if yo	ou know):					
(b)	If you filed any second	If you filed any second motion, petition, or application, give the same information:					
	(1) Name of court:						
	(2) Docket or case num	ıber (if you l	know):				
	(3) Date of filing (if yo	u know):					
	(4) Nature of the proce	eding:					
	(5) Grounds raised:						
	-						
	(6) Did you receive a hearing where evidence was given on your motion, petition, or application?						
	- ·	•	e evidence was	given on your motion, petition, or application?			
		No □					
(c)	Did you appeal to a fed application?	ierai appella	te court having	jurisdiction over the action taken on your motion, petition, or			
	(1) First petition:	Yes □	No 🗆				
	(2) Second petition:	Yes □	No □				

	(u) II :	ou did not appeal from the action on any motion, petition, or application, explain briefly why you did not:
12.		s motion, state every ground on which you claim that you are being held in violation of the Constitution, laws, ies of the United States. Attach additional pages if you have more than four grounds. State the facts supporting round.
GRO	OUND	ONE:
	(a) Su	pporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):
	(b)	Direct Appeal of Ground One:
		(1) If you appealed from the judgment of conviction, did you raise this issue?
		Yes No \( \square\)
		(2) If you did not raise this issue in your direct appeal, explain why:
	(c)	Post-Conviction Proceedings:
		<ul><li>(1) Did you raise this issue in any post-conviction motion, petition, or application?</li><li>Yes □ No □</li></ul>
		(2) If you answer to Question (c)(1) is "Yes," state:
		Type of motion or petition:
		Name and location of the court where the motion or petition was filed:
		Docket or case number (if you know):  Date of the court's decision:

	Result (attach a copy of the court's opinion or order, if available):				
	(3) Did you receive a hearing on your motion, petition, or application?				
	Yes □ No □				
	(4) Did you appeal from the denial of your motion, petition, or application?				
	Yes □ No □				
	(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?				
	Yes □ No □				
	(6) If your answer to Question (c)(5) is "Yes," state:				
	Name and location of the court where the appeal was filed:				
	Docket or case number (if you know):				
	Date of the court's decision:				
	Result (attach a copy of the court's opinion or order, if available):				
	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:				
CD CAND TO					
GROUND T	WO:				
(a) Supp	porting facts (Do not argue or cite law. Just state the specific facts that support your claim.):				

rect A <sub>l</sub>	peal of Gro	und Two:
(1) If you appealed from the judgment of conviction, did you		from the judgment of conviction, did you raise this issue?
	Yes □	No □
(2) If	you did not r	aise this issue in your direct appeal, explain why:
st-Con	viction Proc	eedings:
(1) Di	d you raise th	nis issue in any post-conviction motion, petition, or application?
	Yes □	No □
(2) If	you answer to	o Question (c)(1) is "Yes," state:
Type o	of motion or p	petition:
Name	and location	of the court where the motion or petition was filed:
Docke	t or case num	ber (if you know):
		lecision:
		y of the court's opinion or order, if available):
	•	
(3) Di	d vou receive	e a hearing on your motion, petition, or application?
	Yes □	No □
(4) Di	d you appeal	from the denial of your motion, petition, or application?
,	Yes □	No □
(5) If	your answer	to Question (c)(4) is "Yes," did you raise the issue in the appeal?
	Yes □	No □
(6) If		to Question (c)(5) is "Yes," state:
	•	of the court where the appeal was filed:
- ,		or and other man of the second
Docke	t or case num	ber (if you know):
Date o	f the court's o	lecision:
Result	(attach a cop	y of the court's opinion or order, if available):
(7)	If your answ	ver to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise
	this issue: _	

a) Sup	oporting facts (Do not argue or cite law. Just state the specific facts that support your claim.):
(b)	Direct Appeal of Ground Three:
( )	(1) If you appealed from the judgment of conviction, did you raise this issue?
	Yes □ No □
	(2) If you did not raise this issue in your direct appeal, explain why:
(c)	Post-Conviction Proceedings:
(c)	Post-Conviction Proceedings:  (1) Did you raise this issue in any post-conviction motion, petition, or application?
(c)	
(c)	(1) Did you raise this issue in any post-conviction motion, petition, or application?
(c)	(1) Did you raise this issue in any post-conviction motion, petition, or application? Yes $\Box$ No $\Box$
(c)	<ul> <li>(1) Did you raise this issue in any post-conviction motion, petition, or application? Yes □ No □</li> <li>(2) If you answer to Question (c)(1) is "Yes," state:</li> </ul>
(c)	<ul> <li>(1) Did you raise this issue in any post-conviction motion, petition, or application?  Yes □ No □</li> <li>(2) If you answer to Question (c)(1) is "Yes," state:  Type of motion or petition:  Name and location of the court where the motion or petition was filed: </li></ul>
(c)	<ul> <li>(1) Did you raise this issue in any post-conviction motion, petition, or application?  Yes □ No □</li> <li>(2) If you answer to Question (c)(1) is "Yes," state:  Type of motion or petition:  Name and location of the court where the motion or petition was filed:  Docket or case number (if you know): </li></ul>
(c)	(1) Did you raise this issue in any post-conviction motion, petition, or application?  Yes No No (2) If you answer to Question (c)(1) is "Yes," state:  Type of motion or petition:  Name and location of the court where the motion or petition was filed:  Docket or case number (if you know):  Date of the court's decision:
(c)	<ul> <li>(1) Did you raise this issue in any post-conviction motion, petition, or application?  Yes □ No □</li> <li>(2) If you answer to Question (c)(1) is "Yes," state:  Type of motion or petition:  Name and location of the court where the motion or petition was filed:  Docket or case number (if you know): </li></ul>
(c)	(1) Did you raise this issue in any post-conviction motion, petition, or application?  Yes No No (2) If you answer to Question (c)(1) is "Yes," state:  Type of motion or petition:  Name and location of the court where the motion or petition was filed:  Docket or case number (if you know):  Date of the court's decision:

(4) Did you appeal from the denial of your motion, petition, or application?

	Yes □ No □
	(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?
	Yes □ No □
	(6) If your answer to Question (c)(5) is "Yes," state:
	Name and location of the court where the appeal was filed:
	Docket or case number (if you know):
	Date of the court's decision:
	Result (attach a copy of the court's opinion or order, if available):
	(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not appeal or raise this issue:
ROUND F	OUR:
(a) Sup	porting facts (Do not argue or cite law. Just state the specific facts that support your claim.):
(b)	Direct Appeal of Ground Four:
	(1) If you appealed from the judgment of conviction, did you raise this issue?
	Yes □ No □
	(2) If you did not raise this issue in your direct appeal, explain why:

(1) Did you raise this issue in any post-conviction motion, petition, or application?
Yes □ No □
(2) If you answer to Question (c)(1) is "Yes," state:
Type of motion or petition:
Name and location of the court where the motion or petition was filed:
Docket or case number (if you know):
Date of the court's decision:
Result (attach a copy of the court's opinion or order, if available):
(3) Did you receive a hearing on your motion, petition, or application?
Yes  No  No
(4) Did you appeal from the denial of your motion, petition, or application?
Yes □ No □
(5) If your answer to Question (c)(4) is "Yes," did you raise the issue in the appeal?
Yes □ No □
(6) If your answer to Question (c)(5) is "Yes," state:
Name and location of the court where the appeal was filed:
Docket or case number (if you know):
Date of the court's decision:
Result (attach a copy of the court's opinion or order, if available):
(7) If your answer to Question (c)(4) or Question (c)(5) is "No," explain why you did not ap

or grounds have not been presented, and state your reasons for not presenting them: \_

Do you have any motion, petition, or appeal now pending (filed and not decided yet) in any court for the judgment you are challenging? Yes □ No □
If "Yes," state the name and location of the court, the docket or case number, the type of proceeding, and the issue
raised
Give the name and address, if known, of each attorney who represented you in the following stages of the judgment yo are challenging:
(a) At the preliminary hearing:
(b) At the arraignment and plea:
(c) At the trial:
(d) At sentencing:
(e) On appeal:
(f) In any post-conviction proceeding:
(g) On appeal from any ruling against you in a post-conviction proceeding:

6.	Were you sentenced on more than one court of an indictment, or on more than one indictment, in the same court and at the same time? Yes $\square$ No $\square$					
7.	Do you have any future sentence to serve after you complete the sentence for the judgment that you are challenging?					
	Yes □ No □					
	(a) If so, give name and location of court that imposed the other sentence you will serve in the future:					
	(b) Give the date the other sentence was imposed:					
	(c) Give the length of the other sentence:					
	(d) Have you filed, or do you plan to file, any motion, petition, or application that challenges the judgment or sentence to be served in the future?					
	Yes □ No □					
8.	TIMELINESS OF MOTION: If your judgment of conviction became final over one year ago, you must explain why the one-year statute of limitations as contained in 28 U.S.C. § 2255 does not bar your motion.*					
	ne Antiterrorism and Effective Death Penalty Act of 1996 ("AEDPA") as contained in 28 U.S.C. § 2255, paragraph 6, vides in part that:					
	A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of —					
	<ul> <li>(1) the date on which the judgment of conviction became final;</li> <li>(2) the date on which the impediment to making a motion created by governmental action in violation of the Constitution or laws of the United States is removed, if the movant was prevented from making such a motion by such governmental action;</li> </ul>					
	(3) the date on which the right asserted was initially recognized by the Supreme Court, if that right has been newly recognized by the Supreme Court and made retroactively applicable to cases on collateral review; or					
	(4) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.					

Therefore, Movant asks that the Court grant the following relief:

or any other relief to which movant may be entitled.	
	Signature of Attorney (if any)
declare (or certify, verify, or state) under penalty of perjury that the f	
under 28 U.S.C. § 2255 was placed in the prison mailing system on	(month, date, year)
Executed (signed) on	(date).
	Signature of Movant
f the person signing is not movant, state relationship to movant and ex	xplain why movant is not signing this motion.