

Motion to Vacate, Set Aside, or Correct a Sentence By a Person in Federal Custody

(Motion Under 28 U.S.C. § 2255)

Instructions For United States District Court For The Western District Of Pennsylvania

1. To use this form, you must be a person who is serving a sentence under a judgment against you in a federal court. You are asking for 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. All filings in 28 U.S.C. § 2255 proceedings must be typed, word-processed or neatly written in ink. All filings must be submitted on paper sized 8 ½ by 11 inches. No writing or typing shall be made on the back of any filing. Do not staple or bind your papers in any fashion.
4. 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.
5. Answer all the questions. You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. An accompanying memorandum of law is not required but will be accepted by the Clerk of Court at the time the motion is filed.
6. If you cannot pay for the costs of this motion (such as costs for an attorney or transcripts), you may request permission to proceed *in forma pauperis* by completing and signing a Motion to Proceed In Forma Pauperis. Also, you must submit a certificate signed by an officer at the institution where you are confined showing the amount of money that the institution is holding for you.
7. In this motion, you may challenge the judgment entered by only one court. If you want to challenge a judgment entered by a different judge or division (either in the same district or in a different district), you must file a separate motion.
8. When you have completed the form, send the original to the appropriate division of the Western District of Pennsylvania at the following addresses:

Pittsburgh Division:

U.S. Courthouse
700 Grant Street
Suite 3110
Pittsburgh, PA 15219

Erie Division:

U.S. Courthouse
17 South Park Row
Erie, PA 16501

Johnstown Division:

U.S. Courthouse
208 Penn Traffic Building
319 Washington Street
Johnstown, PA 15901

If the movant is represented by counsel, Electronic Case Filing (ECF) procedures apply.

9. **CAUTION: You must include in this motion all the grounds for relief from the conviction or sentence that you challenge. And you must state the facts that support each ground. If you fail to set forth all the grounds in this motion, you may be barred from presenting additional grounds at a later date.**
10. **CAPITAL CASES: If you are under a sentence of death, you are entitled to the assistance of counsel and should request the appointment of counsel.**