



UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA

**INSTRUCTIONS FOR FILING A PETITION FOR WRIT OF HABEAS CORPUS
PURSUANT TO 28 U.S.C. SECTION 2254**

This packet is to be used by *pro se* prisoners being held in STATE custody who wish to challenge the validity of his or her STATE conviction or sentence on the grounds that it violates the Constitution, federal statutes, or treaties of the United States. Do NOT use this form for anything other than a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. Separate forms are available for other actions. The Clerk of Court can send you a copy upon request, or one should be available in the law library of your institution.

GENERAL INFORMATION

THE RIGHT COURT

You may file your **2254 petition** in the United States District Court for the Northern District of West Virginia if you are confined in the Northern District of West Virginia or if the county in which you were convicted is located in the Northern District of West Virginia.

BASIC GUIDELINES

When filing forms and documents with the Court, you must follow these guidelines:

- Complete all forms as thoroughly as possible
- Use letter size paper only (8 ½ x 11)
- Sign all documents
- Send the original
- Do not use pencil. Either type or print neatly using black or blue pens only
- Do not bind or staple documents
- Write only on the fronts of documents, do not write on the backs of documents
- Number all additional pages

FORMS AND INSTRUCTIONS FOR FILING DOCUMENTS

To file a 2254 petition, you must use the forms provided by the Court and submit either: (a) the Petition and filing fee of \$5.00 to be paid by money order or U.S. Treasury check, OR (b) the Petition and *in forma pauperis* forms, which include: Application and Affidavit to Proceed Without Prepayment of Fees (Attachment B) and the Prisoner Trust Account Report (Attachment C). **FAILURE TO SUBMIT ALL OF THE REQUIRED FORMS WILL RESULT IN DISMISSAL OF YOUR PETITION BY THE COURT.**

Directions for filing a petition are listed below and all necessary forms are included. Please read all of the following instructions carefully before completing ANY of the attached forms. **PLEASE ALSO READ THE LOCAL RULES OF PRISONER LITIGATION.**

THE PETITION (Attachment A). *Instructions for Completing the Petition Form:*

- a. Submit one original petition to the Court. Keep one exact copy of the petition for your records. If you do not keep a copy of your petition and later request a copy from the Court, you will be required to pay a copying fee of \$0.50 per page.
- b. Forms from other districts are not permitted.
- c. Do not write on the back of the petition forms. If you need more space, use additional sheets of paper not to exceed a total of five (5) typed pages or ten (10) neatly printed pages unless accompanied by a Motion for Leave to file excess pages. (LR PL 3.4.4). Additional pages must be numbered. Your petition and all other pleadings/documents must be in English and must be neatly printed or typed. (LR PL 3.4.1).
- d. **GROUND:** You are required to give facts regarding your petition. When your petition involves more than one incident, each incident should be identified as a separate ground. Each incident must include appropriate supporting facts and must be clearly described, including the relevant times, dates and locations.
- e. **RELIEF REQUESTED:** State what you want the Court to do for you. Do not make legal arguments.

- f. VERIFICATION: You should make sure that all answers are true and correct. You must declare under “Penalty of Perjury” that the information contained in your petition is true and accurate. This is done by signing the petition form on p. 25.
- g. Note: under RULE 11, Federal Rules of Civil Procedure: only the signature of a *pro se* party on pleadings will be acceptable to the Court.
- h. INSTRUCTIONS FOR A PETITION WITH MORE THAN ONE PETITIONER: If you and any other petitioner(s) have the same claims and events to be stated in your petition, each petitioner should file a separate petition.

IN FORMA PAUPERIS FORMS (Attachments B and C)

To file an application to proceed without prepayment of fees, you must complete and submit the following forms: Application and Affidavit to Proceed Without Prepayment of Fees (Attachment B) and the Prisoner Trust Account Report (Attachment C) with ledger sheets from your prisoner trust account which reflect your account’s activity for the past six months.

FILING THE PETITION

After completing the petition and all applicable forms, proofread them to ensure compliance with all instructions. Return the completed forms to the appropriate point of holding court. The West Virginia counties for each point of holding court are listed below.

Clerk, U.S. District Court
 PO Box 2857
 Clarksburg, WV 26302
 Attn: Inmate Litigation Clerk
 Pleasants, Ritchie, Calhoun, Gilmer,
 Braxton, Doddridge, Harrison,
 Marion, Monongalia, Taylor and
 Preston Counties

Clerk, U.S. District Court
 PO Box 471
 Wheeling, WV 26003
 Attn: Inmate Litigation Clerk
 Hancock, Brooke, Ohio,
 Marshall, Wetzel and
 Tyler Counties

Clerk, U.S. District Court
217 W. King St., Room 102
Martinsburg, WV 25401
Attn: Inmate Litigation Clerk
Mineral, Hampshire, Morgan,
Berkeley and Jefferson Counties

Clerk, U.S. District Court
PO Box 1518
Elkins, WV 26241
Attn: Inmate Litigation Clerk
Lewis, Upshur, Webster,
Pocahontas, Randolph,
Pendleton, Barbour, Tucker,
Grant and Hardy Counties

FILING DOCUMENTS AFTER THE RESPONDENT HAS BEEN ORDERED TO ANSWER

Documents filed with the Clerk of Court after the respondent has been ordered to answer must be filed with the Court in writing in the form of a pleading, for example: motion, notice, memorandum, etc.

You must serve respondent's counsel with a copy of every pleading, letter, or other document submitted for consideration by the Court. The original of all documents filed with the Clerk must have a "Certificate of Service" (Attachment D).

The Court may return any document submitted to the Clerk of Court for filing that does not bear a proper Certificate of Service. You must sign all papers (pleadings, letters, motions, or other documents) relating to your case and must state the case number. All documents and correspondence submitted to the Clerk of Court should be on letter-size paper (8 ½ x 11 inches). Do not use legal-size (8 ½ x 14 inches) paper.

IMPORTANT ADDITIONAL INFORMATION

1. IF YOU DO NOT KEEP THE COURT ADVISED OF YOUR CURRENT ADDRESS, YOUR CASE WILL BE DISMISSED BY THE COURT.
2. It is improper to communicate directly with Judges or Magistrate Judges concerning matters that may become a subject in their Court.

3. The Clerk, Judges, Laws Clerks, and Magistrate Judges are prohibited from giving legal advice to litigants.

Thank you in advance for your cooperation regarding these instructions.

AT THE DIRECTION OF THE COURT

Cheryl Dean Riley, Clerk

UNITED STATES DISTRICT COURT FOR THE
NORTHERN DISTRICT OF WEST VIRGINIA

**PETITION UNDER 28 U.S.C. § 2254 FOR WRIT OF
HABEAS CORPUS BY A PERSON IN STATE CUSTODY**

United States District Court	Northern District of West Virginia
Name (under which you were convicted):	Criminal Case No.:
Place of Confinement:	D.O.C. Prisoner No.:
Petitioner (the name under which you were convicted)	
v.	
Respondent (authorized person having custody of you)	
The Attorney General of the State of West Virginia	

PETITION

- (a) Name and location of court that entered the judgment of conviction you are challenging: _____

- (b) Criminal case number (if you know): _____
- (a) Date of the judgment of conviction (if you know): _____

(b) Date of sentencing: _____
- Length of sentence: _____
- In this case, were you convicted on more than one count or of more than one crime? Yes No

5. Identify all crimes of which you were convicted and sentenced in this case:

6. (a) What was your plea? (Check one)

- (1) Not guilty (3) Nolo contendere (no contest)
 (2) Guilty (4) Insanity plea

(b) If you entered a guilty pleas to one count or charge and a not guilty plea to another count or charge, what did you plead guilty to and what did you plead not guilty to? _____

(c) 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 a post-trial hearing?

- Yes No

8. Did you appeal from the judgment of conviction? Yes No

9. If you did appeal, answer the following:

(a) Name of court: _____

(b) Case number (if you know): _____

(c) Result: _____

(d) Date of result (if you know): _____

(e) Grounds raised: _____

(f) Did you seek further review by a higher state court? Yes No

If yes, answer the following:

(1) Name of court: _____

(2) Case number (if you know): _____

(3) Result: _____

(4) Date of result (if you know): _____

(5) Grounds raised: _____

(g) Did you file a petition for certiorari in the United States Supreme Court?
 Yes No

If yes, answer the following:

(1) Case number (if you know): _____

(2) Result: _____

(3) Date of result (if you know): _____

10. Other than the direct appeals listed above, have you previously filed any other petitions, applications, or motions concerning this judgment of conviction in any state court? Yes No

11. If your answer to Question 10 was "Yes," give the following information:

(a) (1) Name of court: _____

(2) Case number (if you know): _____

(3) Date of filing (if you know): _____

(4) Nature of the proceeding: _____

(5) Grounds raised: _____

(6) Did you receive a hearing where evidence was given on your petition, application, or motions? Yes No

(7) Result: _____

(8) Date of result (if you know): _____

(b) If you filed a second petition, application, or motion give the same information:

(1) Name of court: _____

(2) Case number (if you know): _____

(3) Date of filing (if you know): _____

(4) Nature of the proceeding: _____

(5) Grounds raised: _____

(6) Did you receive a hearing where evidence was given on your petition, application, or motions? Yes No

(7) Result: _____

(8) Date of result (if you know): _____

(c) If you filed a third petition, application, or motion give the same information:

(1) Name of court: _____

(2) Case number (if you know): _____

(3) Date of filing (if you know): _____

(4) Nature of the proceeding: _____

(5) Grounds raised: _____

(6) Did you receive a hearing where evidence was given on your petition, application, or motions? Yes No

(7) Result: _____

(8) Date of result (if you know): _____

(d) Did you appeal to the highest state court having jurisdiction over the action taken on your petition, application or motion?

(1) First petition: Yes No

(2) Second petition: Yes No

(3) Third petition: Yes No

(e) If you did not appeal to the highest state court having jurisdiction, explain why you did not: _____

12. 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 no more than 5 typed or 10 neatly printed additional pages total for all grounds 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) your available state-court remedies on each ground on which you request action by the federal court. Also, if you fail to set forth all the grounds in this petition, you may be barred from presenting additional grounds at a later date.

GROUND ONE:

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

(b) If you did not exhaust your state remedies on Ground One, explain why: _____

(c) **Direct Appeal of Ground One:**

(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: _____

(d) **Post-Conviction Proceedings (filed after conviction other than direct appeals):**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? Yes No

(2) If your answer to Question (d) (1) is “Yes,” state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed:

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 or petition? Yes No

(4) Did you appeal from the denial of your motion or petition? Yes No

(5) If your answer to Questions (d)(4) is “Yes,” did you raise this issue in the appeal? Yes No

(6) If your answer to Question (d)(4) is “Yes,” state:

Name and location of the court where the motion or petition was filed:

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 (d)(4) or Question (d)(5) is “No,” explain why you did not raise this issue: _____

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground One: _____

GROUND TWO:

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

(b) If you did not exhaust your state remedies on Ground Two, explain why: _____

(c) Direct Appeal of Ground Two:

(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: _____

(d) Post-Conviction Proceedings (filed after conviction other than direct appeals):

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? Yes No

(2) If your answer to Question (d) (1) is “Yes,” state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed:

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 or petition? Yes No

(4) Did you appeal from the denial of your motion or petition? Yes No

(5) If your answer to Questions (d)(4) is "Yes," did you raise this issue in the appeal? Yes No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the motion or petition was filed:

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 (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: _____

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Two: _____

GROUND THREE:

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

(b) If you did not exhaust your state remedies on Ground Three, explain why: _____

(c) **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: _____

(d) **Post-Conviction Proceedings (filed after conviction other than direct appeals):**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? Yes No

(2) If your answer to Question (d) (1) is “Yes,” state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed:

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 or petition? Yes No

(4) Did you appeal from the denial of your motion or petition? Yes No

(5) If your answer to Questions (d)(4) is “Yes,” did you raise this issue in the appeal? Yes No

(6) If your answer to Question (d)(4) is “Yes,” state:

Name and location of the court where the motion or petition was filed:

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 (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: _____

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Three: _____

GROUND FOUR:

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

(b) If you did not exhaust your state remedies on Ground Four, explain why: _____

(c) **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: _____

(d) **Post-Conviction Proceedings (filed after conviction other than direct appeals):**

(1) Did you raise this issue through a post-conviction motion or petition for habeas corpus in a state trial court? Yes No

(2) If your answer to Question (d) (1) is “Yes,” state:

Type of motion or petition: _____

Name and location of the court where the motion or petition was filed:

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 or petition? Yes No

(4) Did you appeal from the denial of your motion or petition? Yes No

(5) If your answer to Questions (d)(4) is "Yes," did you raise this issue in the appeal? Yes No

(6) If your answer to Question (d)(4) is "Yes," state:

Name and location of the court where the motion or petition was filed:

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 (d)(4) or Question (d)(5) is "No," explain why you did not raise this issue: _____

(e) **Other Remedies:** Describe any other procedures (such as habeas corpus, administrative remedies, etc.) that you have used to exhaust your state remedies on Ground Four: _____

13. Please answer these additional questions about the petition you are filing:

(a) Have all grounds for relief that you have raised in this petition been presented to the West Virginia Supreme Court of Appeals?

Yes No

If your answer is “No,” state which grounds have not been so presented and give your reasons(s) for not presenting them: _____

(b) Is there any ground in this petition that has not been presented in some state or federal court? If so, which grounds have not been presented, and state your reasons for not presenting them: _____

14. Have you previously filed any type of petition, application, or motion in a federal court regarding the conviction that you challenge in this petition? Yes No

If “Yes,” state the name and location of the court, the case number, the type of proceeding, the issues raised, the date of the court’s decision, and the result for each petition, application, or motion filed. Attach a copy of any court opinion

or order, if available. _____

15. Do you have any petition or appeal now pending (filed and not decided yet) in any court, either state or federal, for the judgment you are challenging:

Yes No

If "Yes," state the name and location of the court, the case number, the type of proceeding, the issues raised. _____

16. Give the name and address, if you know, of each attorney who represented you in the following stages of the judgment you are challenging:

(a) At preliminary hearing: _____

(b) At arraignment and plea: _____

(c) At trial: _____

(d) At sentencing: _____

(e) On appeal: _____

(f) In any post-conviction (filed after conviction other than a direct appeal) proceeding: _____

(g) On appeal from any ruling against you in a post-conviction proceeding: _____

17. 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 petition that challenges the judgment or sentence to be served in the future? Yes No

18. **TIMELINESS OF PETITION:** If your judgment of conviction became final more than one year ago, you must explain the one-year statute of limitations as contained in 28 U.S.C. § 2244(d) does not bar your petition.¹

¹ The Antiterrorism and Effective Death Penalty Act of 1996 (“AEDPA”) as contained in 28 U.S.C § 2255 paragraph 6, provides in part that:

- (1) A one-year period of limitation shall apply to a motion under this section. The limitation period shall run from the latest of -
 - (A) the date on which the judgment of conviction became final;
 - (B) 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;
 - (C) 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, if applicable to cases on collateral review; or
 - (D) the date on which the facts supporting the claim or claims presented could have been discovered through the exercise of due diligence.
- (2) The time during which a properly filed application for State post-conviction or other collateral review with respect to the pertinent judgment or claim is pending shall not be toward any period of limitation under this subsection.

Therefore, you ask that the Court for the following relief:

and any other relief to which you may be entitled.

Signature of Attorney (if any)

I declare (or certify, verify, or state) under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on _____ (month, day, year).

Executed (signed) on _____ (date).

Your Signature

If the person signing is not you, state the relationship to you and explain why you are not signing this petition.

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA

Your full name

APPLICATION AND AFFIDAVIT TO
PROCEED WITHOUT
PREPAYMENT OF FEES

v.

Civil Action No.: _____
(To be assigned by the Clerk of Court)

Enter above the full name(s) of respondent(s) in this action

I, _____ declare that I am the (check appropriate box)
 Plaintiff/petitioner/movant Appellant (on appeal to the Fourth Circuit)
 other
in this case.

In support of my request to proceed without prepayment of fees or costs under 28 U.S.C. § 1915, I declare that I am unable to pay the costs of these proceedings and that I am entitled to the relief sought in the complaint/ petition/motion/notice of appeal. **I agree that, if I am granted this application, a portion of any recovery, as directed by the Court, will be paid to the Clerk of Court for reimbursement of all unpaid fees and costs incurred by me in this case.**

In support of this application, I answer the following questions under penalty of perjury:

1. I am currently incarcerated at _____.

IMPORTANT: HAVE THE INSTITUTION FILL OUT THE PRISONER TRUST ACCOUNT REPORT PORTION OF THIS APPLICATION AND ATTACH A CERTIFIED COPY OF YOUR PRISON TRUST ACCOUNT STATEMENT SHOWING TRANSACTIONS FOR THE PAST SIX MONTHS.

2. Are you employed at the Institution? Yes No

If the answer is "YES," state the amount of your pay: _____

3. In the past twelve (12) months have you received any money from any of the following sources?

- a. Business, profession or other self-employment Yes No
- b. Rent payments, interest, or dividends Yes No
- c. Pensions, annuities, or life insurance payments Yes No
- d. Disability or workers compensation payments Yes No
- e. Gifts or inheritances Yes No
- f. Any other sources Yes No

If you answered "YES" to any portion of question #3, describe each source of money and state the amount received and what you expect you will continue to receive.

4. Do you have any **cash, checking, or savings accounts**, other than your prisoner trust account, or are there any such accounts where your name is listed in addition to other individuals as an account holder?
 Yes No

If you answered "YES" above, list the name(s) and address(es) of the institutions

where your accounts are located, the type of account, and the present balance of each account. _____

5. Do you have any IRA/money market/ or CDs separate from the accounts listed above? Yes No

If you answered "YES" above, list the name(s) and address(es) of the institutions where your accounts are located, the type of account, and the present balance of each account. _____

6. Do you own an automobile(s), or does your name appear with any other individuals on the title of any automobile(s)? Yes No

If you answered "YES" above, for each such automobile please state:

Make _____ Model _____ Year _____

Is it financed? Yes No

If you answered "YES," what is the amount owed? _____

7. Do you own any real estate, stocks, bonds, securities, other financial instruments, or any other thing of value? Yes No

If you answered "YES," describe the property and state its value.

8. Do you have any assets or personal property other than clothing?
 Yes No

If you answered “YES,” describe each such asset and state its value.

9. Have you placed any property, assets, or cash in the name(s) or custody of anyone else in the last two (2) years? Yes No

If you answered “Yes,” describe each type of property, asset and/or money, give the name(s) of the person(s) given custody, and the reason(s) for the transfer.

Petitioner’s Declaration

I understand that if I am released or transferred, it is my responsibility to keep the Court informed of my whereabouts and failure to do so will result in this action being dismissed by the Court.

Executed at _____ on _____.
(Location) (Date)

Your Signature

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA
OFFICE OF THE CLERK
P.O. Box 1518
ELKINS, WV 26241-1518**

PRISONER TRUST ACCOUNT REPORT

Name: _____ Inmate #: _____

TO: Trust Officer

FROM: Cheryl Dean Riley, Clerk, U. S. District Court,
Northern District of West Virginia

RE: Civil Action No. _____

Under the Prison Litigation Reform Act, a prisoner initiating a civil action must obtain from the Trust Officer of each institution in which the prisoner was confined during the preceding six months, a certified copy of the prisoner's trust account statement for the six months prior to the filing of his or her petition.

Please complete this form, attach the supporting ledger sheets, and return these documents to the prisoner for mailing to the Clerk of Court. **The ledger sheets MUST be attached for the Court to process this form.**

Date petition to be filed: _____

Account Balance at time of filing petition: _____

AVERAGE MONTHLY DEPOSITS during the six months prior to the filing of the civil action: _____

AVERAGE MONTHLY BALANCE during the six months prior to the filing of the civil action: _____

I certify that the above information accurately states the deposits and balances in the applicant's trust account for the period shown and that the attached ledger sheets are true copies of the account records maintained in the ordinary course of business.

Date Authorized Signature _____
Title

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF WEST VIRGINIA**

Your full name

v.

Civil Action No.: _____

Enter above the full name of respondent in this action

Certificate of Service

I, _____ (your name here), appearing *pro se*, hereby certify that I have served the foregoing _____ (title of document being sent) upon the respondent by depositing true copies of the same in the United States mail, postage prepaid, upon the following counsel of record for the respondent on _____

(insert date here):

(List name and address of counsel for respondent)

(sign your name)

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF WEST VIRGINIA

v.

Case Number: _____

NOTICE OF CHANGE OF ADDRESS AND/OR CONTACT INFORMATION FOR PRO SE LITIGANTS

(Note: You must keep your contact information (address and phone number) current with the Court. The Court and opposing counsel will send orders, correspondence, motions, pleadings, notices, etc., to the last address filed with the Court in writing. Please file a separate Notice of Change of Address form for each case in which you are involved.)

I hereby notify the Court that my address has changed as follows:

Your name: _____

Old Address: _____

New address: _____

My current telephone number is: _____

I hereby request that copies of any future orders, correspondence, motions, pleadings, notices, etc., be provided to me at this new address.

I will notify the Clerk of Court in writing by filing a new Notice form if my address or telephone number changes.

Date: _____

Signature _____