

POST CONVICTION FORM NO. 1
SUPREME COURT OF ARIZONA

Full name and prison number (if any) of Petitioner,)	Case No: _____
)	(To be supplied by Clerk)
)	
PETITIONER,)	
vs.)	PETITION FOR
)	WRIT OF HABEAS CORPUS
)	
Name of Respondent)	
(Name of person--Sheriff,)	
Jailor or Warden--who has)	
you in custody.))	
)	
RESPONDENT.)	
)	
)	

INSTRUCTIONS--READ CAREFULLY

In order for this petition to receive consideration by the Court, it shall be in writing, (legibly handwritten or typewritten) signed by the Petitioner and verified (notarized), and it shall set forth in concise form the answers of each applicable question. If necessary, Petitioner may finish his answer to a particular question on the reverse side of the page or on an additional blank page. Petitioner shall make it clear to which question any such continued answer refers.

Since every petition for habeas corpus must be sworn to under oath, any false statement of a material fact therein may serve as the basis of prosecution and conviction for perjury. Petitioners should therefore exercise care to assure that all answers are true and correct.

When the petition is complete, the original and one copy (a total of two) shall be mailed to the Clerk of the Supreme Court of Arizona, State Courts Building, 1501 West Washington, Phoenix, Arizona, 85007, and one copy to the Attorney General of Arizona, 1275 West Washington, Phoenix, Arizona, 85007.

1. Place of detention _____
2. Name and location of court which imposed sentence _____
3. The indictment or information number or numbers (if known) upon which, and the offense or offenses for which, sentence was imposed.

(a) _____

(b) _____

(c) _____

4. The date upon which sentence was imposed and the terms of the sentence:

(a) _____

(b) _____

(c) _____

5. Check whether a finding of guilty was made:

(a) after a plea of guilty _____

(b) after a plea of not guilty _____

6. If you were found guilty after a plea of not guilty, check whether that finding was made by:

(a) a jury _____

(b) a judge without a jury _____

7. Did you appeal from the judgment of conviction or the imposition of sentence?

8. If you answered "yes" to (7), list

(a) The name of each court to which you appealed:

i. _____

ii. _____

iii. _____

(b) the result in each such court to which you appealed:

i. _____

ii. _____

iii. _____

(c) the date of each such result:

i. _____

ii. _____

iii. _____

(d) if known, citations of any written opinion or orders entered pursuant to such results:

i. _____

ii. _____

iii. _____

9. If you answered "no" to (7), state your reasons for not so appealing:

(a) _____

(b) _____

10. State concisely the grounds on which you base your allegations that you are being held in custody unlawfully:

(a) _____

(b) _____

(c) _____

11. State concisely and in the same order the facts which support each of the grounds set out in (10):

(a) _____

(b) _____

(c) _____

12. Prior to this petition, have you filed with respect to this conviction:

(a) any petition for a Writ of Habeas Corpus or other post-conviction relief in any court of the State of Arizona? _____

(b) any such petition in any other court? _____

(c) any petitions in the United States Supreme Court for certiorari other than petitions, if any, already specified in (8)? _____

(d) any other petitions, motions or applications in this or any other court?

13. If you answered "yes" to any part of (12), list with respect to each petition, motion or application:

(a) the specific nature thereof:

i. _____

ii. _____

iii. _____

iv. _____

(b) the name and location of the court in which each was filed:

i. _____

ii. _____

iii. _____

iv. _____

(c) the disposition thereof:

i. _____

ii. _____

iii. _____

(d) the date of each such:

i. _____

ii. _____

iii. _____

iv. _____

(e) if known, citations of any written opinions or orders entered pursuant to each such disposition:

i. _____

ii. _____

iii. _____

iv. _____

14. Has any ground set forth in (10) been previously presented to this or any other court, state or federal, in any petition, motion or application which you have filed?

15. If you answered "yes" to (14), identify:

(a) which grounds have been previously presented:

i. _____

ii. _____

iii. _____

(b) the proceedings in which each ground was raised:

i. _____

ii. _____

iii. _____

16. If any ground set forth in (10) has not previously been presented to any court, state or federal, set forth the ground, and state concisely the reasons why such ground has not previously been presented:

(a) _____

(b) _____

(c) _____

17. Were you represented by an attorney at any time during the course of:

(a) your arraignment and plea? _____

(b) your trial, if any? _____

(c) your sentencing? _____

(d) your appeal, if any, from the judgment of conviction or the imposition of sentence?

(e) Preparation, presentation or consideration of any petitions, motions on applications with respect to this conviction, which you filed?

18. If you answered "yes" to one or more parts of (17), list:

(a) the name and address of each attorney who represented you:

i. _____

ii. _____

iii. _____

(b) the proceedings at which each such attorney represented you:

i. _____

ii. _____

iii. _____

Wherefore, petitioner prays that he be discharged from custody and restraint.

STATE OF ARIZONA)

)

ss

COUNTY OF _____)

I, _____, being first sworn under oath, state that the information contained in the foregoing petition is true and correct.

Signature of Petitioner

Subscribed and sworn to before me this _____ day of _____, _____.

Notary Public

My Commission Expires