

LOCAL RULES - CENTRAL DISTRICT OF CALIFORNIA

LOCAL RULE 83-16 HABEAS CORPUS PETITIONS AND MOTIONS UNDER 28 U.S.C. SECTION 2255

83-16.1 COURT FORMS - A petition for a writ of habeas corpus or a motion filed pursuant to 28 U.S.C. Section 2255 shall be submitted on the forms approved and supplied by the Court.

83-16.2 VERIFICATION - OTHER THAN PERSON IN CUSTODY - If the petition or motion is verified by a person other than the individual in custody, the person verifying the document shall set forth the reason why it has not been verified by the person in custody. The person verifying the document shall allege only facts personally known to that person. If facts are alleged upon information and belief, the source of the information and belief shall be stated.

83-16.3 HABEAS CORPUS - EXCLUSION, DEPORTATION AND REMOVAL CASES - A next friend petition for a writ of habeas corpus in exclusion, deportation and removal cases must allege that the petitioner has been authorized by the applicant for admission or respondent in the proceedings to file the petition. If the petition is filed by a relative who is the father, mother, husband, wife, brother, sister, uncle or aunt of the applicant for admission in the proceedings, that fact shall be alleged and authorization to file the petition need not be shown.