

IN THE \_\_\_\_\_ COURT OF THE STATE OF \_

FOR THE COUNTY OF \_\_\_\_\_

JOHN DOE, )  
Petitioner,  
v. ) Case No. \_

WARDEN JANE SMITH, STATE )  
CORRECTIONAL FACILITY, )  
Respondent.  
\_\_\_\_\_)

### PETITION FOR WRIT OF HABEAS CORPUS

Petitioner, JOHN DOE, respectfully submits this Petition for Writ of Habeas Corpus, challenging the lawfulness of his current detention.

#### I. IDENTIFICATION OF PARTIES

1. Petitioner is JOHN DOE, currently detained at the State Correctional Facility, Cell Block C, with Inmate/Booking Number 987654. Petitioner's mailing address is 123 Main Street, Anytown, State, 12345.
2. Respondent is WARDEN JANE SMITH, in her official capacity as Warden of the State Correctional Facility. Respondent's official address for service is 456 Prison Road, Anytown, State, 12346. Respondent is the custodian of Petitioner and has the power to produce Petitioner before this Court.

#### II. JURISDICTION AND VENUE

3. This Court has jurisdiction over this Petition for Writ of Habeas Corpus pursuant to [cite relevant statute, e.g., State Constitution Article \_, Section \_ and/or State Statute § \_], as Petitioner is unlawfully restrained of his liberty within the jurisdiction of this Court.
4. Venue is proper in this Court because Petitioner is detained within this county.

#### III. FACTUAL ALLEGATIONS

5. Petitioner was taken into custody on January 15, 2023, at the Anytown Police Department.
6. The stated reason for Petitioner's detention is an alleged violation of parole.
7. Petitioner's detention stems from a parole revocation order issued by the Anytown Superior Court on January 14, 2023, in case number CR-2022-001.
8. The parole revocation was based on unproven allegations.
9. During the parole hearing, Petitioner was denied the right to present evidence or confront witnesses.

#### **IV. GROUNDS FOR RELIEF**

10. Petitioner's detention is unlawful because the parole revocation was based on unproven allegations, violating Petitioner's due process rights.
11. Petitioner was denied fundamental due process protections, specifically the right to present evidence and confront adverse witnesses at the parole hearing, which is a prerequisite for a lawful parole revocation.
12. The denial of these rights renders the parole revocation order invalid and Petitioner's subsequent detention unlawful.

#### **V. RELIEF REQUESTED**

WHEREFORE, Petitioner respectfully requests that this Court:

- a. Issue a Writ of Habeas Corpus, ordering Respondent to produce Petitioner before this Court at a time and date certain.**
- b. Conduct a hearing to determine the lawfulness of Petitioner's detention.**
- c. Upon finding that Petitioner's detention is unlawful, order Petitioner's immediate release from custody.**
- d. Grant such other and further relief as the Court deems just and proper.**

**Dated:** [Date]

**Respectfully submitted,**

**Signature:** \_\_\_\_\_

**Printed Name:** JOHN DOE

**Role / Capacity:** Petitioner

123 Main Street

Anytown, State, 12345

[Phone number]

[Email address]

### **CERTIFICATE OF SERVICE**

I hereby certify that on this \_ day of \_, 20\_, a true and correct copy of the foregoing PETITION FOR WRIT OF HABEAS CORPUS was served upon the Respondent by [method of service, e.g., U.S. Mail, hand delivery, certified mail]:

Warden Jane Smith

State Correctional Facility

456 Prison Road

Anytown, State, 12346

JOHN DOE, Petitioner