



# CERTIFIED LEGAL SERVICES, Inc.

335 George Street, Ste 4 #1058,  
New Brunswick, New Jersey 08901

Dear recipient:

Thank you for your interest in exploring the qualifications of your criminal case for a writ of habeas corpus petition in federal district court, which may result in your release from prison. Our team understands that a petition for a writ of habeas corpus may be your last recourse to obtain freedom. That is why for a limited time, we have delegated resources to the Habeas Corpus Relief Project.

The Habeas Corpus Relief Project has a three-phase process:

- Phase 1.** Complete and mail us the Questionnaire for Petitioner ("Questionnaire") as thoroughly and accurately as possible.
- Phase 2.** You will be notified whether your case has been selected after we review your responses in the Questionnaire. If your case is selected and you choose to proceed with a petition, you will be required to pay the \$5,000 flat fee (bank check, money order or electronic fund transfers only) and provide your legal documentation. The documentation includes:
- Any and all briefs/memorandums of law submitted by you in all your appeals. ***The briefs/memorandums of law are required.***
  - Any and all written court decisions, if available.
  - Pretrial Discovery, if available.
  - Any and all transcripts, if available.
- Phase 3.** Upon receipt of your documents, we will conduct the necessary legal research, draft the petition and any other necessary documents. Then, we will mail you the draft- petition and memorandum of law for review, comments, and approval. As soon as we receive your approval and comments, if any, the documents will be finalized and an attorney will file the petition and related documents with the federal district court. You will receive a copy of all finalized and filed documents.

If you are interested and wish to take advantage of our limited time offer and begin the process, please carefully and thoroughly complete the enclosed Questionnaire for Petitioner and mail it back to us at the above address as soon as possible. It is critical that your responses to the Questionnaire are accurate and complete. It is designed to elicit the fundamental basic information we need to determine whether the particular and unique factual circumstances of your case meet the strict requirements and qualifications for a federal writ of habeas corpus relief.

Please note that after we review your responses to the Questionnaire and your case is selected because it meets the legal criteria to file the petition based on the information you provided, you **must** then sign our Flat Fee Agreement and pay the non-refundable \$5,000 in advance before we commence work on your petition. If you follow the

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directions stated here, including sending us a fully and thoroughly completed Questionnaire, along with the required documentation, there is typically no need for conferences or further discussions with you about the case or petition. However, if you have questions or concerns that we have not addressed here, please call us at the above number.

In terms of timing, upon receipt of the required documentation and payment of the flat fee, we will work to draft and file the petition as soon as possible. Typically, we draft your petition and accompanying memorandum of law within 2-4 weeks from receipt of all required documents. We will give you the opportunity to review, comment, and approve the draft documents before the attorney files the petition and memorandum of law with the federal district court.

In the interest of full disclosure and transparency, in the event that we require additional documents, you may be required to pay in advance the cost of copies and any related third-party fees for retrieval of documents (i.e. Courts Documents, Transcript Companies, Prior Attorneys). Although rare, in some cases there may be other necessary costs associated with filing the petition such as for example; body camera footage, other video footage, exhibits, binding of documents, expert witnesses' fees, newly discovered evidence analysis and written reports, etc. If it is determined that such incremental costs and fees and costs are necessary, we will disclose such costs to you and NO ADDITIONAL incremental fees will be incurred unless approved in writing by you.

As with all litigation, the likelihood of success of any petition is virtually impossible to predict. We cannot nor do we guarantee that your petition will be effective and successful. Realistically, we cannot give you a percentage or any representation on the estimated success of your petition.

We look forward to hearing from you but if you choose to go in a different direction, our team at Habeas Corpus Relief Project wishes you well in all your endeavors.

Yours truly,

Habeas Corpus Relief Project, Team

w/enclosures.

**IMPORTANT:** "An application for a writ of habeas corpus on behalf of a person in custody pursuant to the judgment of a State court shall not be granted unless it appears that... the applicant has exhausted the remedies available in the courts of the state 28 U.S.C. § 2254" "The Antiterrorism and Effective Death Penalty Act ("AEDPA") requires that "[a] 1-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court." 28 U.S.C. § 2244(d)(1)" In other words, a person who wishes to file a petition for writ of habeas corpus in federal court must have presented all issues he/she wants to raise in the petition to all the State appeals court, and only those issues presented to the State appeals courts can be raised in the petition for writ of habeas corpus.

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**MISSION STATEMENT:** To provide affordable, quality legal representation for individuals incarcerated in State institutions who may have potential legal basis for relief, and possible release from custody by the federal courts of the United States. Our view is that once individuals have exhausted all their State appeals and other avenues of relief from prison confinement in State courts, we may be able to assist with relief on the basis of U.S. Constitutional rights with the Great Writ of Habeas Corpus filing.

## OUR SERVICES INCLUDE:

1. Legal review of the record;
2. In-depth legal research of established applicable principles of federal law, including the Constitution of the United States;
3. Drafting of all legal documents including, but not limited to:
  - a) Petition for Writ of Habeas Corpus;
  - b) Affidavits, Certifications and supplemental documents;
  - c) Legal Memorandum of Law and all related documentation by our attorneys.

If we choose a case to be petitioned, chances are the federal court will grant some form of relief. However, as in all cases, results will vary and the court may reject the petition outright. In some cases, the petition may be denied, but the district court may issue a Certificate of Appealability to the Circuit Court of Appeals and appoint a federal attorney to represent you free of charge. At that time, our services will cease. (It is of paramount importance that the incarcerated person clearly understand and accept that result or relief is not guaranteed).

## TIMING AND RESULTS:

Upon receipt of payment in full of our flat fee of FIVE THOUSAND DOLLARS (\$5,000) and the required documents, we will endeavor to draft the petition and accompanying memorandum of law for a Writ of Habeas Corpus filing within 2-4 weeks. The State (Respondent) will have 45 days to answer the petition, subject to any extension of time granted by the federal district court. Once all submissions have been filed by the parties the federal district court will then issue a ruling on the petition upon review of all submissions at its discretion and scheduling.

**IMPORTANT:** "An application for a writ of habeas corpus on behalf of a person in custody pursuant to the judgment of a State court shall not be granted unless it appears that the applicant has exhausted the remedies available in the courts of the State. 28 U.S.C. § 2254" "The Antiterrorism and Effective Death Penalty Act ("AEDPA") requires that "[a] 1-year period of limitation shall apply to an application for a writ of habeas corpus by a person in custody pursuant to the judgment of a State court" 28 U.S.C. § 2244(d)(1)." in other words, a person who wishes to file a petition for writ of habeas corpus in the federal court must have presented all issues he/she wants to raise in the petition to all the State appeals court, and only those issues presented to the State courts can be raised in the petition for writ of habeas corpus.

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## Frequently Asked Questions (FAQ)

**Q: How do I know if my case qualifies for Habeas Corpus relief?**

A: By completely filling out the 'Questionnaire for Petitioner' as accurately as possible and mailing it back to us. Free of charge, we will carefully review your responses and analyze your case. We will notify you if you qualify and whether it is worth the time and money for you to pursue Habeas Corpus relief.

**Q: Are there any guarantees that my Habeas Corpus Petition will be successful?**

A: As with all litigation, it is impossible to guarantee success and result since there are unpredictable variables that may affect the desired result. However, if your case qualifies for the Habeas Corpus filing process and we select your case, the likelihood of a favorable result and/or at least the district court issuing a "Certificate of Appealability" are good to excellent.

**Q: What is a Certificate of Appealability?**

A: A Certificate of Appealability is an order by a federal district court or the Circuit Court of Appeals granting you permission to appeal your petition for a writ of habeas corpus if it was denied by the federal district court. If granted a Certificate of Appealability, the court will also provide you with a federal attorney free of charge.

**Q: How long does it take to get a decision?**

A: Usually, it would take at least 4-6 months for a federal district court to render a decision on your petition. However, some federal district courts may take longer.

**Q: What does selection of my case mean?**

A: Our selection of your case for a petition for writ of Habeas Corpus means that in our estimation of the factual circumstances and applicable law in your case may merit relief. Please keep in mind that being selected does not mean the petition will guarantee success because court decisions are unpredictable.

**Q: What happens if my petition is granted?**

A: There are several possible results when your petition is granted. The most common relief is when the federal district court orders a new trial within a certain timeframe (120 days in most cases) or the case will be dismissed and an order will be issued for your immediate release from custody. In some instances, the court may order the State to dismiss the case altogether, which is the optimal and best result.

**Q: What happens if my petition is denied?**

A: You may appeal to the Circuit Court of Appeals for a Certificate of Appealability.

**Q: If I am granted a Certificate of Appealability; what will happen next?**

A: Your case will be moved up to the Circuit Court of Appeals to be argued in front of a panel of judges. You will also be provided with a federal attorney to represent you free of charge.

**Q: Will I have any additional costs or expenses, if I am granted a Certificate of Appealability?**

A: No.

**Q: How soon can I expect to go home?**

A: If the federal court dismisses your case you will be released immediately.

**Q: While my Petition is pending will I be moved to another correctional institution/jail/facility?**

A: No. You will only be moved to county jail if the federal court remands your case to the trial court.

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**Q: How likely is the State to retry a case after it is reversed?**

A: It depends on why the conviction was reversed. But, it is highly likely the State will offer a very lenient plea to resolve most cases when a conviction is reversed. Such as, time served.

**Q: How do I pay the HCRP Advocacy Project the initial \$5000 fee?**

A: You should call for payment options and directions.

**Q: Can I pay the initial fee in installments?**

A: No. The flat fee must be paid in full, and it is non-refundable.

**Q: What is expected from me after I pay the initial fee and sign the Flat Fee Agreement?**

A: After you sign the Flat Fee Agreement and pay the initial fee, we ask that you send us any briefs/memorandums of law submitted by you/attorney in all your appeals. Only, if available, please send us copies of any written court decisions, pretrial discovery and all transcripts.

**Q: What happens if I do not have all the necessary documents available?**

A: Only send us copies of the documents you have available. Getting documents directly from you would help expedite matters. However, if you have no copies of the documents listed in the response to the previous question, we can obtain those documents from your prior attorneys and/or the courts but there may be a separate charge by your prior attorneys/courts for such copies of documents. If there is a charge or cost to getting copies of documents, we will advise you of the costs for prior approval and payment by you for those third party costs.

**Q: Who can I contact to get any missing necessary documents?**

A: Depending on what the documents are, usually you can obtain documents from your previous attorneys or the courts.

**Q: How much time do I have to file a Writ of Habeas Corpus?**

A: Typically, a petition for writ of habeas corpus must be filed within 1-year of the finalization of your direct appeal.

**Q: Can I still file a petition if I still have pending appellate matters in the State courts?**

A: Yes. We will file a petition for writ of habeas corpus to the District Court along with a Stay in Abeyance motion to have the petition stayed until your State appellate matters are exhausted to the highest State court.

**Q: If I filed a petition and have it stayed, do I get a refund if I get a favorable result in the State courts.**

A: No. The Flat Fee is non-refundable.

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## Questionnaire for Petitioner

Please answer all questions below (or as much as possible) in order for us to screen your case. This information is required and may determine acceptance from Habeas Corpus Relief Project.

Your name and inmate number: \_\_\_\_\_

Your address: \_\_\_\_\_

Name of Family/other contact information: \_\_\_\_\_

Address: \_\_\_\_\_

Phone: \_\_\_\_\_

Email: \_\_\_\_\_

### DIRECT APPEAL

1. Date you were sentenced: \_\_\_\_\_  
*Name and address of attorney who represented you at sentencing:* \_\_\_\_\_
2. Date you filed your direct appeal to the appellate court: \_\_\_\_\_  
*Name and address of attorney who represented you on direct appeal:* \_\_\_\_\_
3. Date the appellate court denied/affirmed your direct appeal: \_\_\_\_\_
4. When your direct appeal was denied/affirmed, did you file an appeal to the highest State court?  
☐ YES / ☐ NO
5. If yes: Date you appealed to the highest State court: \_\_\_\_\_  
*Name and address of attorney who represented you in the highest State court:* \_\_\_\_\_
6. Date the highest State court denied your appeal: \_\_\_\_\_

### POST-CONVICTION RELIEF/MOTION(S)

7. Date you filed pcr/motion(s): \_\_\_\_\_  
*Name and address of attorney who represented you on per/motion(s):* \_\_\_\_\_
8. Date your pcr/motion(s) was denied: \_\_\_\_\_
9. Date you appealed the pcr/motion(s) denial to the appellate court: \_\_\_\_\_  
*Name and address of attorney who represented your pcr/motion(s) appeal:* \_\_\_\_\_
10. Date the appellate court denied your pcr/motion(s) appeal: \_\_\_\_\_
11. When the appellate court denied your pcr/motion(s); did you appeal to the highest State court?  
☐ YES / ☐ NO
12. if yes Date you appealed to the highest State court: \_\_\_\_\_  
*Name and address of attorney who represented you in the highest State court:* \_\_\_\_\_
13. Date the highest State court denied your appeal: \_\_\_\_\_

### PETITION FOR WRIT OF HABEAS CORPUS

14. Have you previously filed a petition for writ of habeas corpus in this case?  
☐ YES / ☐ NO

