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COMPLETE GUIDE TO PREPARING YOUR POST-CONVICTION RELIEF CLIENT INTAKE QUESTIONNAIRE

A Step-by-Step Instruction Manual

For Federal Inmates Seeking Post-Conviction Relief

Revised March 2026

HOW TO USE THIS GUIDE

This guide walks you through every question on the Post-Conviction Relief Client Intake Questionnaire, section by section. For each question, it explains why the information is needed, how to answer it correctly, and what mistakes to avoid. Your legal team cannot effectively evaluate or pursue your case without accurate, complete information. Incomplete or inaccurate answers can delay your case by months, result in the dismissal of your petition, or cause you to waive legal arguments you did not intend to waive.

CRITICAL WARNING

False or incomplete information on this questionnaire may result in: (1) dismissal of your petition; (2) denial of relief that you would otherwise be entitled to; (3) judicial sanctions; (4) referral for obstruction of justice if materially false statements are made under penalty of perjury. There is no benefit to guessing or embellishing. If you do not know an answer, say so and explain what you do know. An honest "I don't know" is infinitely more useful than a wrong answer.

Before You Begin: What You Will Need

Gather the following documents before you start. Having them in front of you will allow you to answer accurately rather than from memory, which is how errors occur:

- Your Judgment and Commitment Order (J&C) — the signed court order imposing your sentence. This is the single most important document.
- Presentence Investigation Report (PSR) — contains your criminal history, offense level calculations, and guideline range.
- Plea Agreement (if applicable) — contains your agreed-upon terms, any appeal waivers, and cooperation provisions.
- SENTRY printout showing your projected release dates, GCT, and sentence computation data.
- FSA Earned Time Credit statement (if applicable).
- Copies of any administrative remedies (BP-8, BP-9, BP-10, BP-11) you have filed, including BOP responses.
- Program completion certificates (EBRR, productive activities, RDAP, vocational, educational).
- Any prior court filings: direct appeal briefs/opinions, prior habeas petitions, compassionate release motions.
- Disciplinary records (incident reports/shots) — even if you believe they are irrelevant.
- Medical records (if pursuing compassionate release or if health conditions affect your case).
- Contact information for family members, including full legal names, addresses, phone numbers, and email addresses.

PRO TIP: ACCURACY OVER SPEED

It is better to take two weeks to complete this questionnaire correctly than to rush through it in one sitting with guesses and approximations. Your legal team will build your entire case strategy from what you write here. Every inaccuracy creates a potential weakness that the government will exploit.

SECTION I: CLIENT IDENTIFICATION

This section establishes who you are within the federal system. Every piece of information here is used to locate your records, verify your identity, and ensure filings are properly attributed to your case. Errors here can cause documents to be filed in the wrong case or rejected entirely.

Question 1: *Full Legal Name*

Why This Matters: Your legal name must exactly match the name on your Judgment and Commitment Order. Federal courts and BOP maintain records under your legal name. A mismatch between the name on your questionnaire and the name on court records can cause filing errors, delays in docket assignment, and unnecessary confusion before the court. If you have aliases or prior names, those go in Question 2.

How to Answer: Copy your full legal name exactly as it appears on your J&C Order. Include your middle name or middle initial if it appears on the J&C. Do not use nicknames, shortened versions, or any name other than what the court used when it sentenced you. If your name was legally changed after sentencing, provide both the name on the J&C and your current legal name, and explain the change.

Common Mistakes to Avoid: Using a nickname or shortened name. Writing 'Mike' when the J&C says 'Michael.' Writing 'Johnson' when the J&C says 'Johnston.' These seemingly minor errors can create real problems when cross-referencing court records.

Question 2: *Aliases / Other Names Used*

Why This Matters: The government tracks individuals across multiple cases and systems using alias information. If you have ever been known by another name — maiden name, prior married name, street name used in indictment, or any other alias — your legal team needs to know. Undisclosed aliases that surface later create credibility problems.

How to Answer: List every name you have ever used or been known by, including: maiden names, prior married names, names used in prior convictions, names used in the indictment or PSR, any alias listed in NCIC or state criminal databases. If none, write 'None.'

Common Mistakes to Avoid: Omitting aliases that appear in your PSR or prior convictions. The government already knows these names. Failing to disclose them does not hide anything — it only makes you look evasive.

Question 3: *BOP Register Number*

Why This Matters: This is your unique identifier within the Bureau of Prisons. Every BOP record — SENTRY data, program participation, disciplinary history, sentence computation, FSA credits — is tied to this number. An incorrect register number means your legal team cannot access any of your institutional records. This is not a trivial detail; a single transposed digit can pull up an entirely different inmate's records.

How to Answer: Your register number is in the format XXXXX-XXX (five digits, a hyphen, then three digits). Find it on your BOP identification card, any SENTRY printout, your commitment papers, or the top of any administrative remedy form. Copy it exactly. Double-check every digit. If

you have been in federal custody more than once and have multiple register numbers, provide all of them and indicate which is current.

Common Mistakes to Avoid: Transposing digits. This is more common than you think and has serious consequences. Verify the number against at least two separate BOP documents before writing it down.

Question 4: *Current BOP Facility*

Why This Matters: This determines which federal district your habeas petition may need to be filed in under 28 U.S.C. § 2241 (which requires filing in the district of confinement), identifies the respondent (typically the Warden), and tells your legal team which administrative remedy regional office handles your BP-10 appeals.

How to Answer: Write the full official name of the facility where you are currently housed. For example: 'FCI Forrest City Low' or 'USP Tucson.' If you are at a complex with multiple facilities (e.g., a Low and a Medium), specify which one you are at. If you have recently transferred or expect to transfer, note both your current facility and where you are transferring to, with dates if known.

Common Mistakes to Avoid: Writing just 'Forrest City' without specifying Low, Medium, or Camp. These are different facilities with different wardens, and the distinction matters for naming the correct respondent.

Question 5: *Housing Unit*

Why This Matters: This is primarily for communication purposes. Facility staff use housing unit assignments to route TRULINCS messages and legal mail. It also occasionally matters for documenting conditions claims or showing facility-specific program availability issues.

How to Answer: Write your current housing unit designation exactly as it appears on your facility ID or unit assignment sheet. Example: 'Unit B-2' or 'Housing Unit 3A.'

Question 6: *TRULINCS Email Address*

Why This Matters: TRULINCS is the primary means of electronic communication between you and your legal team while you are in BOP custody. Your TRULINCS address is necessary so your legal team can add you to their approved contact list and communicate efficiently. Federal legal matters move on tight deadlines — waiting for postal mail can mean missing a filing deadline.

How to Answer: Provide the email address associated with your TRULINCS account. Make sure your legal team's email address is on your approved TRULINCS contact list before you submit this questionnaire, or add it immediately after.

Common Mistakes to Avoid: Providing a TRULINCS address that has not been activated or that has your legal team's email blocked. If your legal team cannot reach you, they cannot work your case effectively. The 30-day delay in adding new TRULINCS contacts means you should add the contact as early as possible.

Question 7: *Preferred Communication Method*

Why This Matters: Different legal matters require different communication methods. Routine updates may go via TRULINCS. Sensitive or privileged documents may need to be sent via legal

mail. Understanding your preference and any limitations at your facility allows your legal team to communicate efficiently while protecting privilege.

How to Answer: Indicate whether you prefer TRULINCS email, legal mail (physical mail marked attorney-client privileged), phone calls through the legal call system, or a combination. If your facility has specific restrictions on any of these methods, explain them. If you have a family member or designated contact person who can relay urgent messages, note that as well.

SECTION II: FAMILY & EMERGENCY CONTACTS

This section identifies the people in your life who may be contacted about your case, who may be paying for legal services, and who may need to provide supporting declarations or testimony. Your legal team needs reliable outside contacts for matters that cannot be handled through TRULINCS alone.

Question 8-9: Primary Contact Person (Name, Relationship, Address, Phone, Email)

Why This Matters: Your legal team needs a reliable outside contact who can: (a) relay urgent messages if TRULINCS is down or you are in transit; (b) gather documents that you cannot access from inside the facility (such as prior state court records, medical records from before incarceration, or financial records); (c) provide declarations in support of your release plan; and (d) potentially serve as your proposed release residence. This person should be someone who is actively involved in your case, checks their phone and email regularly, and is willing to communicate with your legal team.

How to Answer: Provide the full legal name, relationship to you, complete physical address (street, city, state, ZIP), phone number (with area code), and email address. If this person has a different last name than you, that is fine — just make sure the relationship is clear. Choose someone reliable. If your primary contact is difficult to reach, unreliable, or uncooperative, that directly impairs your legal team's ability to work your case.

Common Mistakes to Avoid: Listing someone who does not know they are your contact, who will not answer calls from unknown numbers, or who is not willing to be involved. Verify with this person before listing them.

Question 10-11: Secondary/Emergency Contact

Why This Matters: A backup contact is essential. If your primary contact becomes unavailable — illness, travel, changed phone number, personal conflict — your legal team needs another way to reach someone connected to your situation. Post-conviction matters can have deadlines measured in days, not weeks.

How to Answer: Same information as the primary contact. This should be a different person. Ideally someone in a different household so that a single emergency does not eliminate both your contacts simultaneously.

Common Mistakes to Avoid: Listing the same person as both primary and secondary. Listing someone in the same household as your primary contact.

Question 12: Spouse/Partner Information

Why This Matters: Marital status affects multiple aspects of post-conviction cases. For compassionate release, a spouse or partner may be central to your release plan and may need to provide a supporting declaration. For financial matters, a spouse's income or assets may be relevant to in forma pauperis status. Marriage also affects restitution obligations and may be relevant to conditions of supervised release.

How to Answer: Provide full name, whether legally married or domestic partner, address if different from yours, phone number, and email. If divorced, state that and provide the approximate date. If your spouse is also incarcerated, note the facility and register number.

Question 13: *Person Authorized to Discuss Your Case*

Why This Matters: Federal courts and BOP will not discuss your case with anyone who is not authorized. Your legal team cannot share privileged case information with family members unless you have explicitly authorized it. This question creates a clear written record of who may receive updates about your case.

How to Answer: This may or may not be the same person as your primary contact. If you want your mother to be your primary contact but only want your attorney to discuss case details with your wife, specify that. If you authorize multiple people, list all of them. Be specific: 'My wife [name] and my mother [name] are both authorized to receive case updates and discuss strategy with my legal team.'

Common Mistakes to Avoid: Leaving this blank and then later becoming frustrated that your family member cannot get information from your legal team. Authorize the right people upfront.

Question 14: *Fee Responsibility*

Why This Matters: Your legal team needs to know who is responsible for payment of fees and costs. This may be you, a family member, a third party, or some combination. Clear fee designation prevents billing disputes and ensures your case is not delayed by payment confusion.

How to Answer: Identify the person responsible for payment by name, relationship, and contact information. If you are paying from your commissary account, state that. If a third party is paying, provide their complete contact information. If you intend to proceed in forma pauperis (without payment), state that and understand that IFP status requires court approval and documentation of your financial inability to pay.

SECTION III: CRIMINAL CASE INFORMATION

This is the backbone of your file. Every question in this section relates directly to the legal proceedings that resulted in your current incarceration. Errors here can misdirect your entire legal strategy. Use your Judgment and Commitment Order and your PSR to answer these questions — do not rely on memory.

CRITICAL

Do NOT answer these questions from memory. Open your J&C Order and your PSR. Copy the information exactly. Memory is unreliable, especially for case numbers, statute citations, and dates.

Question 15: *Case Number*

Why This Matters: This is the federal court docket number under which you were convicted and sentenced. Every filing, motion, and order in your case is indexed under this number. An incorrect case number means your legal team cannot access your docket, cannot review prior filings, and cannot verify anything you tell them. It also means any filing made on your behalf could be docketed to the wrong case.

How to Answer: Your case number is in the format X:XX-cr-XXXXX-XXX (e.g., 2:19-cr-00123-JM). Copy it exactly from your J&C Order. It will be on the first page, usually in the upper right corner or the caption. Include the judge's initials if they appear as part of the case number. If you have multiple federal cases (e.g., you were sentenced in two districts), provide all case numbers.

Common Mistakes to Avoid: Transposing digits in the case number. Confusing a civil case number with a criminal case number. Omitting the district designation. If you have both a criminal case and a related civil case (e.g., a prior § 2255), provide both but clearly label which is which.

Question 16: *Sentencing Court (District)*

Why This Matters: Federal district courts are organized by geographic district (e.g., Eastern District of Arkansas, Western District of Texas). The district where you were sentenced determines which court has jurisdiction over certain post-conviction motions (§ 2255 must be filed in the sentencing court), which circuit's law applies on appeal, and which procedural rules govern your case.

How to Answer: Write the full official name of the district. For example: 'Eastern District of Arkansas' or 'Northern District of Oklahoma.' Do not abbreviate. If you are unsure, look at the top of your J&C Order — it will say 'United States District Court for the [District Name].'

Common Mistakes to Avoid: Writing just 'Arkansas' without specifying Eastern or Western district. Many states have multiple federal districts with different judges, different local rules, and sometimes different circuit court precedent interpretations.

Question 17: *Sentencing Judge*

Why This Matters: The sentencing judge matters enormously. If you file a § 2255 or compassionate release motion, it will almost certainly go back to the same judge who sentenced you. Your legal team needs to know who that judge is so they can research the judge's track record on post-conviction motions, sentencing philosophy, and any specific procedural preferences. A compassionate release

motion drafted for a judge who is a former public defender reads very differently from one drafted for a judge who is a former federal prosecutor.

How to Answer: Write the judge's full name and title. For example: 'The Honorable Chief Judge P. Brooks' or 'Senior Judge D. Russell.' Include whether the judge is a district judge, senior judge, chief judge, or magistrate judge. This information appears on your J&C Order. If a different judge handled your trial or plea than the one who sentenced you, note both.

Common Mistakes to Avoid: Writing just a last name without the proper title or judicial status. Senior judge status, in particular, matters because it may affect case assignment and scheduling.

Question 18: Assistant United States Attorney (AUSA) Who Prosecuted Your Case

Why This Matters: The AUSA is important for multiple reasons: (a) they will likely be the one responding to your post-conviction motions; (b) if you cooperated (§ 5K1.1), the government's position on your cooperation is tied to specific AUSAs; (c) for compassionate release, some AUSAs are more amenable to stipulated dispositions than others; (d) if prosecutorial misconduct is part of your claims, identifying the AUSA is step one.

How to Answer: Provide the full name of the AUSA. If multiple AUSAs worked your case, list all of them and indicate who was the lead. This information is on your plea agreement, the government's sentencing memorandum, or the transcript of your plea or sentencing hearing. If you do not know, write 'Unknown — not on available documents' and your legal team will look it up on the docket.

Question 19: Defense Counsel at Sentencing

Why This Matters: Your trial or plea counsel's identity is necessary for several reasons: (a) ineffective assistance of counsel claims under *Strickland v. Washington*, 466 U.S. 668 (1984), require identifying which attorney's performance you are challenging; (b) your prior counsel may have files, notes, or information that your current legal team needs; (c) if your prior counsel failed to file a notice of appeal despite your request, that is a standalone § 2255 claim under *Roe v. Flores-Ortega*, 528 U.S. 470 (2000).

How to Answer: Provide the full name of your attorney at sentencing. Indicate whether they were retained (hired), appointed (CJA), or a Federal Public Defender. If you had different attorneys at different stages (one for plea, another for sentencing, another for appeal), list all of them with the stage each handled.

Common Mistakes to Avoid: Not distinguishing between retained and appointed counsel. Not identifying separate counsel for separate stages. If you had a conflict attorney or if your attorney withdrew mid-case, note that and explain the circumstances.

Question 20: Offenses of Conviction (Statute and Count)

Why This Matters: The statutes you were convicted under determine everything: FSA eligibility, supervised release ranges, mandatory minimums, career offender status, sentencing guidelines, and available post-conviction claims. A client convicted under 21 U.S.C. § 841(b)(1)(A) has dramatically different legal options than one convicted under § 841(b)(1)(C). Getting this wrong can send your legal team down an entirely wrong path.

How to Answer: For each count of conviction, provide: (a) the count number; (b) the statute (e.g., 21 U.S.C. § 846, 18 U.S.C. § 924(c)); (c) the specific subsection if applicable; and (d) a brief description

of the offense. Copy this directly from your J&C Order, which lists every count on which you were convicted and the corresponding statute. Do not rely on what you think you were convicted of — read the document.

Common Mistakes to Avoid: Confusing the statute of conviction with the guideline section. Confusing the indictment counts with the counts on which you were actually convicted (if some counts were dismissed). If you pled to fewer counts than were charged, list only the counts to which you pled guilty or were found guilty.

Question 21: *How Was Your Case Resolved?*

Why This Matters: Whether your case was resolved by guilty plea or trial, and if by plea, what type of plea agreement, fundamentally shapes your post-conviction options. An 11(c)(1)(C) plea (binding on the court) is different from an 11(c)(1)(B) plea (recommendation only). An open plea (no agreement) is different from a plea with a collateral attack waiver. A trial conviction preserves certain claims that a guilty plea waives. Your legal team must know the precise disposition type.

How to Answer: Check the appropriate box and provide specifics. If you pled guilty, specify: (a) Fed. R. Crim. P. 11(c)(1)(A) — charge bargain (some charges dismissed); (b) 11(c)(1)(B) — sentence recommendation (non-binding); (c) 11(c)(1)(C) — specific sentence agreement (binding on court if accepted); or (d) open plea with no agreement. If you went to trial, specify whether it was a jury trial or bench trial. If you pled guilty on some counts and went to trial on others, explain that. If you are not sure which type of plea you entered, your plea agreement will specify, or write 'Unknown — plea agreement not available.'

Common Mistakes to Avoid: Simply writing 'guilty plea' without specifying the type. An 11(c)(1)(C) plea, in particular, has unique implications for post-conviction challenges because the court accepted a specific sentence — challenging that sentence later is more complex.

Question 22: *Did You Cooperate with the Government?*

Why This Matters: Cooperation status (§ 5K1.1 substantial assistance departure or Rule 35(b) reduction) affects multiple aspects of your case: (a) it may explain a below-guideline sentence; (b) it may provide leverage for future compassionate release motions (the government may support early release for cooperators); (c) it creates safety concerns at certain facilities that may be relevant to conditions claims or transfer requests; and (d) if you cooperated but did not receive the promised benefit, that may itself be a legal claim.

How to Answer: State clearly whether you cooperated. If yes, specify: (a) whether you received a § 5K1.1 departure at sentencing; (b) whether you received a Rule 35(b) reduction after sentencing; (c) what the government's position was (how many levels or months of reduction they recommended); and (d) whether you believe you received the full benefit you were promised. If there is a sealed cooperation agreement, note that it exists even if you cannot provide a copy.

Common Mistakes to Avoid: Denying cooperation that is documented in the court record. The government knows whether you cooperated. Denying it creates credibility problems. Conversely, do not disclose cooperation to other inmates — disclose it only on this privileged form.

SECTION IV: SENTENCE IMPOSED

This section documents exactly what the court ordered. Every number here must come directly from your J&C Order or the sentencing transcript. These are not approximations — they are precise legal facts that determine your eligibility for every form of post-conviction relief.

Question 23: *Total Term of Imprisonment Imposed*

Why This Matters: This is the total sentence of incarceration the court imposed. It is the starting point for every sentence computation, every FSA credit calculation, and every argument about time served. For compassionate release, the amount of time served relative to the total sentence is a critical factor courts consider.

How to Answer: State the total term in months. If you received concurrent sentences on multiple counts, state the total effective sentence (e.g., '120 months on Counts 1 and 2 to run concurrently'). If you received consecutive sentences, state each component and the total (e.g., '120 months on Count 1 plus 60 months on Count 2 consecutive, total 180 months'). If you received a life sentence, state 'Life.' Copy this exactly from the J&C.

Common Mistakes to Avoid: Confusing concurrent and consecutive. Failing to note that a § 924(c) count runs consecutive by statute. Rounding your sentence — if the J&C says 121 months, write 121 months, not '10 years.' The precise number matters for credit calculations.

Question 24: *Term of Supervised Release*

Why This Matters: Supervised release is the period of federal supervision you will serve after imprisonment. The length affects your total sentence for FSA calculation purposes under certain interpretations, may be subject to early termination, and is relevant if you are pursuing revocation-related claims.

How to Answer: State the supervised release term for each count. For example: '5 years on Count 1, 3 years on Count 2, concurrent.' Copy from the J&C Order.

Question 25: *Guideline Range Calculated at Sentencing*

Why This Matters: The guideline range is the United States Sentencing Guidelines range calculated by the probation officer in the PSR and adopted (or varied from) by the sentencing judge. This is critical for: (a) determining whether you received a within-guideline or variant sentence; (b) evaluating § 2255 claims based on guideline calculation errors; (c) compassionate release arguments under § 1B1.13(b)(6) (change in law that would produce a lower guideline range today); and (d) understanding what enhancements or departures drove your sentence.

How to Answer: Provide the calculated guideline range in months. For example: '121 to 151 months.' Also state your Total Offense Level and Criminal History Category (e.g., 'TOL 31, CHC III'). If the court varied upward or downward from the guidelines, state the guideline range and the actual sentence imposed. This information is in the PSR (final version, with any objections resolved) and the sentencing transcript.

Common Mistakes to Avoid: Confusing the initial PSR calculation with the final calculation after objections were resolved. The court may have sustained objections that changed the offense level or criminal history. Use the final numbers that the court actually applied at sentencing.

Question 26: *Mandatory Minimum Sentence*

Why This Matters: Many federal offenses carry statutory mandatory minimum sentences. Whether a mandatory minimum applied to your case determines: (a) whether the court had discretion to impose a lower sentence; (b) whether you were eligible for safety valve relief under 18 U.S.C. § 3553(f); (c) whether retroactive changes in mandatory minimum laws (such as the First Step Act's changes to § 851 stacking) may entitle you to a reduced sentence; and (d) whether you may qualify for FSA earned time credits (certain mandatory minimum offenses are excluded from FSA eligibility).

How to Answer: State whether a mandatory minimum applied. If yes, state: (a) the statute that imposed it; (b) the mandatory minimum term (e.g., '10 years under 21 U.S.C. § 841(b)(1)(A)'); (c) whether a prior felony information under 21 U.S.C. § 851 was filed to enhance the mandatory minimum; and (d) whether you received safety valve relief to go below the mandatory minimum. If no mandatory minimum applied, state 'No mandatory minimum.'

Common Mistakes to Avoid: Not knowing whether a § 851 information was filed. This is a critical document — it doubles mandatory minimums for drug offenses with prior felony drug convictions. Check your docket for any document titled 'Information' or 'Notice of Prior Conviction' filed by the government before your plea or trial.

Question 27: *Sentencing Enhancements*

Why This Matters: This captures whether specific sentencing enhancements were applied that may be subject to legal challenge. Career offender status (USSG § 4B1.1), Armed Career Criminal Act (18 U.S.C. § 924(e)), specific offense characteristics (firearms, leadership role, obstruction), and other enhancements can dramatically increase sentences. Many of these enhancements are subject to ongoing legal challenges in the courts.

How to Answer: Identify every enhancement applied at your sentencing. Check the relevant boxes and explain. Your PSR will list every enhancement and the specific guideline section. Common enhancements include: Career Offender (§ 4B1.1), ACCA (§ 924(e)), leadership/organizer role (§ 3B1.1), firearm enhancement (§ 2D1.1(b)(1)), drug quantity, prior felony drug conviction (§ 851), and obstruction (§ 3C1.1). If you do not know, your PSR will tell you — look at the offense level computation.

Common Mistakes to Avoid: Not identifying career offender status. This is the single most commonly challenged enhancement in post-conviction proceedings and has been subject to significant changes in circuit law regarding which prior convictions qualify as predicates.

SECTION V: CUSTODY & TIME COMPUTATION

This section documents exactly when your federal sentence began and how your time has been computed. Time computation errors by BOP are disturbingly common. The Government Accountability Office has documented a 38% calculation error rate in BOP sentence computations. Getting this section right is the foundation for any challenge to your projected release date.

GAO FINDINGS

Recent GAO investigations (GAO-26-107268 and GAO-26-107353) found that BOP miscalculates sentences in 38% of cases reviewed, with a 71% failure rate in prerelease credit application. If your release date seems wrong, it very well may be. Document everything in this section with precision.

Question 28: *Date Entered Federal Custody*

Why This Matters: This date is the starting point for your entire sentence computation. BOP calculates your projected release date based on when your federal sentence commenced. Under 18 U.S.C. § 3585(a), your sentence begins on the date you are received into custody for service of the sentence. If you self-surrendered, it is the date you walked into the facility. If you were in state or federal pretrial detention that was credited to your sentence, the computation is more complex.

How to Answer: Provide the exact date (month/day/year) you entered federal custody to begin serving your sentence. If you self-surrendered, this is straightforward — it is the date on your surrender order. If you were transferred from state custody or were in pretrial detention, provide the date you were designated to a federal facility to begin your federal sentence. Your SENTRY printout will show this date as your 'sentence commenced' date.

Common Mistakes to Avoid: Confusing the date of arrest with the date your federal sentence commenced. Confusing the date of sentencing with the date you entered custody (if you were on bond at sentencing and surrendered later). These are often different dates and the distinction matters for credit calculation.

Question 29: *Did You Self-Surrender or Were You Remanded?*

Why This Matters: This affects your sentence computation and may also be relevant to your release plan arguments. A self-surrender indicates the court trusted you enough to remain on bond pending surrender, which speaks to your character and community ties. Remand (taken into custody in the courtroom) typically follows a finding that the defendant is a flight risk or danger.

How to Answer: State clearly: (a) self-surrendered to a designated facility; (b) remanded into custody at sentencing; or (c) was already in custody (pretrial detention) at the time of sentencing. If you self-surrendered, provide the date and the facility you surrendered to.

Question 30: *Were You on Pretrial Release? For How Long?*

Why This Matters: Pretrial release status and duration are critical for multiple reasons: (a) time spent on pretrial release with restrictive conditions (GPS monitoring, home detention) may be creditable toward your sentence under certain circumstances; (b) the duration and conditions of pretrial release demonstrate your ability to comply with supervision, which supports release plan

arguments; (c) under the First Step Act, programming completed during pretrial release may be eligible for earned time credits — and GAO has documented that BOP systematically fails to credit this time.

How to Answer: State whether you were released pretrial. If yes, provide: (a) the type of release (personal recognizance, bail, conditions of release); (b) specific conditions (home detention, GPS monitoring, curfew, drug testing); (c) the total duration of pretrial release (from date of release to date you entered custody); and (d) whether you completed any programming during pretrial release (drug treatment, mental health treatment, employment programs). Be specific about dates.

Common Mistakes to Avoid: Forgetting to mention restrictive conditions of pretrial release. Simple bond is one thing, but home detention with GPS monitoring is substantively different and potentially creditable. If you had restrictive conditions, document them thoroughly.

Question 31: *Jail Credit Days*

Why This Matters: Under 18 U.S.C. § 3585(b), you are entitled to credit for time spent in official detention prior to your federal sentence that has not been credited to another sentence. Jail credits are one of the most frequently miscalculated components of federal sentence computation. BOP routinely fails to apply credits for time spent in state custody on a federal detainer, time in transit between facilities, and time in pretrial detention.

How to Answer: Calculate the total number of days you spent in custody before your federal sentence began. This includes: (a) time in pretrial detention (from arrest to sentencing or surrender); (b) time in state custody on a federal writ or detainer; (c) time in transit between facilities. Provide a day-by-day breakdown if possible. For each period, identify: the facility, the dates (from and to), and the total days. Your legal team will verify these against BOP records, but your own count is the starting point for identifying discrepancies.

Common Mistakes to Avoid: Not counting time in state custody when a federal detainer was lodged. Not counting time in transit. Not counting time in the U.S. Marshals' custody between arrest and initial appearance. Every day counts — literally.

Question 32: *Good Conduct Time (GCT) Earned*

Why This Matters: Under 18 U.S.C. § 3624(b), inmates serving sentences of more than one year may earn up to 54 days per year of good conduct time. GCT reduces your actual time served. The First Step Act changed GCT calculation from 47 days per year to 54 days per year, and this was applied retroactively. Your legal team needs to verify that BOP has correctly calculated your GCT.

How to Answer: Provide the total GCT days shown on your SENTRY printout. If you have lost GCT due to disciplinary sanctions, state the original amount earned and the amount lost, with the dates and incident report numbers for each loss.

Common Mistakes to Avoid: Not knowing your current GCT balance. Not tracking GCT losses. If you have lost GCT, your legal team may be able to challenge the underlying disciplinary sanctions.

Question 33: *Projected Release Dates*

Why This Matters: BOP calculates multiple projected release dates: (a) Full Term Date (no GCT applied); (b) GCT Release Date (with GCT applied); (c) Statutory Release Date; and (d) if applicable,

FSA Projected Release Date. Discrepancies between these dates and your own calculations are often the first indicator of a sentence computation error.

How to Answer: Copy all projected release dates from your most recent SENTRY printout. Include the Full Term Date, GCT Release Date, and any FSA-adjusted date. If the dates on SENTRY do not match your own calculations, note the discrepancy and explain what you believe the correct date should be.

Common Mistakes to Avoid: Relying on what a counselor or case manager told you verbally. Get the printout. Verbal statements are not binding on BOP and are frequently wrong.

SECTION VI: FIRST STEP ACT STATUS

The First Step Act of 2018 is the most significant federal sentencing reform legislation in a generation. It created earned time credits, expanded good conduct time calculation, and established the PATTERN risk assessment tool. This section determines whether you are eligible for FSA benefits, whether BOP has correctly applied your credits, and whether there are grounds to challenge BOP's calculations. Given that GAO has documented a 71% failure rate in BOP's application of prerelease credits, there is a strong statistical likelihood that errors exist in your FSA computation.

Question 34: *Are You FSA Eligible?*

Why This Matters: Not all federal inmates are eligible for FSA earned time credits. Eligibility exclusions are based on the offense of conviction, not the underlying conduct. The list of disqualifying offenses is found at 18 U.S.C. § 3632(d)(4)(D). Common exclusions include: certain sex offenses, offenses resulting in death, certain terrorism offenses, and offenses involving minors. Additionally, inmates with ICE detainers or final orders of deportation are categorically excluded from applying earned time credits toward early release (though they may still earn credits for other purposes). Importantly, many inmates who have been told they are ineligible have been misclassified — BOP applies overly broad interpretations of disqualifying offenses, and post-Loper Bright Enterprises v. Raimondo, courts are required to exercise independent judgment rather than defer to BOP's statutory interpretations.

How to Answer: Check the appropriate box: Yes, No, Unknown, or Disputed. If BOP has determined you are ineligible, state the reason they gave. If you dispute that determination, explain why. For example, if BOP claims your drug conviction is disqualifying, specify the exact statute and whether a 'death or serious bodily injury' enhancement was actually applied at sentencing. Under Valladares v. Ray, 130 F.4th 74 (4th Cir. 2025), § 841 convictions are disqualifying only when the 'death or serious bodily injury' enhancement actually applies.

Common Mistakes to Avoid: Accepting BOP's eligibility determination at face value without verifying it against the statute. BOP has a documented pattern of over-classifying inmates as ineligible. Always verify against the actual statutory text.

Question 35: Current PATTERN Risk Score

Why This Matters: The Prisoner Assessment Tool Targeting Estimated Risk and Needs (PATTERN) is BOP's risk assessment tool mandated by the First Step Act. Your PATTERN score determines: (a) how many earned time credits you accrue per month (minimum/low risk earn 15 days per 30 days of programming; medium/high risk earn 10 days per 30 days); (b) your eligibility to apply earned time credits toward prerelease custody (only minimum and low risk inmates may apply credits toward supervised release, RRC, or home confinement). A higher PATTERN score means fewer credits and less ability to use them. BOP's PATTERN methodology has been subject to significant criticism for racial bias and methodological flaws, and post-Loper Bright, courts may scrutinize PATTERN calculations independently.

How to Answer: State your current PATTERN score level (Minimum, Low, Medium, or High). If you dispute your score, explain why. Common bases for dispute include: (a) BOP using incorrect criminal history information; (b) failure to update the score after completing programs that should reduce it; (c) scoring variables that are based on static factors (race, age) rather than dynamic factors showing rehabilitation; (d) mathematical or data entry errors. If you had a lower score that was increased, state both scores and the date and reason for the change.

Common Mistakes to Avoid: Not disputing a PATTERN score you believe is wrong. Silence is treated as acquiescence. If you completed programs that should lower your score and BOP has not updated it, say so explicitly.

Question 36: FSA Earned Time Credits (ETC)

Why This Matters: This is where the rubber meets the road. Earned time credits are the tangible benefit of FSA programming. You need to know: (a) how many total days of ETC you have earned; (b) how many BOP has actually applied toward your release date; and (c) whether there is a discrepancy. GAO found that BOP fails to properly apply prerelease credits 71% of the time. If your numbers do not match BOP's numbers, that is not unusual — it is the norm.

How to Answer: Provide: (a) Total days of ETC earned (based on your calculation from completed programs); (b) Total days BOP shows as applied to your sentence. If these numbers differ, explain the discrepancy. If BOP has refused to apply credits, state the reason given. If you have been told you have earned credits but they have not been applied, note that specifically. Your FSA statement from your unit team should show both earned and applied credits.

Common Mistakes to Avoid: Not tracking your own ETC independently. Relying solely on BOP's calculation without verifying it against your actual program completion records. Keep your own log of every EBRR and productive activity program you complete, with dates and certificate numbers.

Question 37-38: Program Completion (EBRR and Productive Activities)

Why This Matters: The FSA requires participation in Evidence-Based Recidivism Reduction (EBRR) programs and Productive Activities (PAs) to earn time credits. Your legal team needs a complete record of every program you have completed, every program you are currently enrolled in, and every program you have requested but been unable to access. This last point is critical — GAO

documented 7-year waitlists for programming at some facilities. If BOP cannot provide access to programming, it cannot penalize you for not completing programs.

How to Answer: For each program, provide: (a) the name of the program; (b) whether it is classified as EBRR or PA; (c) the start date; (d) the completion date (or 'In Progress'); (e) whether you received a certificate; and (f) the number of ETC days earned. Also list any programs you requested but were unable to enroll in, and the reason (waitlist, not offered at your facility, not eligible, etc.). GAO found that 55% of minimum and low-security inmates are not receiving adequate programming. Document your efforts to participate even when programs were unavailable.

Common Mistakes to Avoid: Not keeping copies of program certificates. Not documenting waitlist denials. Not tracking the distinction between EBRR and PA programs (they earn credits at different rates for different PATTERN scores).

SECTION VII: RDAP & TREATMENT PROGRAMS

The Residential Drug Abuse Program (RDAP) is one of the most significant sentence-reduction tools available to eligible federal inmates. Successful completion of RDAP can result in up to a 12-month reduction in sentence under 18 U.S.C. § 3621(e). This is separate from and in addition to FSA earned time credits. However, RDAP eligibility is limited and the program is only available at 64 of BOP's 121 facilities.

Question 39: *Are You RDAP Eligible?*

Why This Matters: RDAP eligibility requires: (a) a documented substance abuse disorder (typically verified through the PSR, BOP psychology intake, or self-referral); (b) sufficient time remaining on your sentence to complete the 9-12 month residential program plus 6 months of follow-up; and (c) no disqualifying offenses or detainers. Eligibility is determined by BOP's Drug Abuse Program Coordinator (DAPC) at your facility.

How to Answer: State whether you are eligible and how you know (e.g., 'Eligible per DAPC assessment' or 'Ineligible — no substance abuse diagnosis in PSR'). If you believe you should be eligible but have been told otherwise, explain the basis for the denial and why you disagree.

Common Mistakes to Avoid: Not requesting a DAPC assessment if you have a documented substance abuse history. Not disclosing substance abuse history in the PSR that could establish eligibility.

Question 40-41: *RDAP Application and Enrollment Status / Intent to Participate*

Why This Matters: If you are eligible, your legal team needs to know where you stand in the process: applied, waitlisted, enrolled, completed, or not yet applied. If you have not applied and are eligible, your legal team will likely advise you to do so immediately. The 12-month sentence reduction from RDAP completion is one of the most powerful tools available, and failure to apply is a strategic error in almost every case where eligibility exists.

How to Answer: State your current status clearly. If waitlisted, state when you applied and your position on the waitlist if known. If enrolled, state the start date and expected completion date. If completed, provide the completion date and whether you received the sentence reduction. If you have not applied, state why. If you intend to participate, say so clearly. If you do not intend to participate, explain why, as your legal team needs to assess whether that decision is strategically sound.

Common Mistakes to Avoid: Declining RDAP when eligible without understanding the sentence reduction benefit. Even if you do not believe you have a substance abuse problem, if you are eligible and the reduction would meaningfully impact your release date, the strategic calculus strongly favors participation.

SECTION VIII: RELEASE PLANNING

For compassionate release, § 2241 petitions seeking immediate release, and FSA prerelease custody applications, the court and BOP need to know where you will go, who you will live with, how you will support yourself, and whether the U.S. Probation Office has approved the residence. A strong release plan can make the difference between a granted and denied motion. A weak or nonexistent plan gives the court an easy reason to deny relief even when the legal merits are strong.

Question 42: *Proposed Release Address*

Why This Matters: This is the physical address where you will reside upon release. The court must find that your release plan is adequate under 18 U.S.C. § 3553(a) and that you will not pose a danger to the community. The address is inspected by the U.S. Probation Office in the district of release. If the residence fails inspection or is in an area the court considers problematic (e.g., known drug trafficking area), it can be grounds for denial.

How to Answer: Provide the complete physical address: street, apartment/unit number, city, state, and ZIP code. This must be a residential address, not a P.O. Box. It should be a stable, permanent residence — not a motel or transitional housing unless no alternative exists. If you have not secured a release address yet, say so and explain your plan to secure one.

Common Mistakes to Avoid: Listing an address without verifying that the residents will actually allow you to live there. Listing an address that has previously failed USPO inspection. Listing a sober living facility without having been accepted.

Question 43: *Has the U.S. Probation Office Inspected the Release Address?*

Why This Matters: The USPO typically conducts a home inspection before recommending approval of a release plan. The inspection verifies that the residence exists, is suitable for habitation, and that the residents are aware of and consent to the defendant's proposed residence. For compassionate release motions, a pending or completed USPO inspection demonstrates proactive planning that courts view favorably.

How to Answer: State: Yes (approved), Yes (pending results), No (not yet requested), or No (inspection failed — explain why). If the inspection was conducted, provide the approximate date. If it failed, explain the reason and whether you have identified an alternative address.

Question 44: *Who Will You Reside With? Relationship?*

Why This Matters: Courts want to see a support system. A defendant releasing to a stable family environment with employment prospects is far more likely to receive judicial approval than one releasing to an address with no identified support. This information is also used to assess whether the proposed residence creates any supervision concerns (e.g., another person at the address with a criminal history).

How to Answer: Provide the full name and relationship of every person who resides at the proposed release address. For example: 'Maria Santos (wife), ages 42; two minor children, ages 12 and 8.' If you will be the sole occupant, state that. If any person at the address has a criminal history, disclose it — USPO will discover it during inspection, and non-disclosure creates credibility problems.

Common Mistakes to Avoid: Not disclosing that a co-resident has a criminal record. USPO runs background checks on everyone at the proposed address. Better to address it upfront than be caught concealing it.

Question 45-46: *RRC / Home Confinement Submission Status*

Why This Matters: Under the First Step Act, eligible inmates may spend the final portion of their sentence in a Residential Reentry Center (halfway house) or on home confinement. BOP is required to consider inmates for these placements but has wide discretion. GAO found that 38% of RRCs operate above 95% capacity and home confinement programs run at 121% capacity. If you have been submitted and denied, or if BOP has failed to consider you, this may be a basis for legal challenge.

How to Answer: State separately for RRC and home confinement: (a) whether you have been submitted (referred by your unit team); (b) the date of submission; (c) the status (approved, denied, pending, or not yet submitted); (d) if denied, the reason given; and (e) your projected eligibility date for each. If your unit team has refused to submit you, state that and explain the reason given.

Common Mistakes to Avoid: Not asking your unit team about submission status. Not requesting submission when you believe you are eligible. Silence is not advocacy — BOP will not proactively champion your release.

Question 47: *Employment Plans Upon Release*

Why This Matters: Employment is a standard condition of supervised release and a factor courts consider in assessing whether release is appropriate. A concrete employment plan strengthens your release plan significantly. This does not need to be a guaranteed job offer (though that is ideal) — it can be a plan showing specific employers you have contacted, skills you possess, vocational training you have completed, or a family business.

How to Answer: Describe your employment plans in detail. If you have a job offer, provide: the employer's name, the type of work, the expected compensation, and the contact person. If you have a family business, describe it. If you have vocational training or certifications earned during incarceration, list them. If you do not have specific plans yet, describe your skills, work history, and the types of employment you intend to pursue.

SECTION IX: PRIOR APPEALS & LEGAL CHALLENGES

This section determines what legal avenues have already been pursued and, critically, which avenues remain available. Federal post-conviction law imposes strict limitations on successive petitions and motions. Filing the wrong type of motion at the wrong time can permanently foreclose a meritorious claim. Your legal team must know the complete procedural history of your case before taking any action.

STATUTE OF LIMITATIONS

A § 2255 motion generally must be filed within one year of the date your conviction becomes final. If your direct appeal has concluded and more than one year has passed, a § 2255 may be time-barred. There are narrow exceptions, but the clock is real and unforgiving. If you believe you have a time-sensitive claim, flag it immediately.

Question 48: *Did You File a Direct Appeal?*

Why This Matters: A direct appeal to the circuit court of appeals is the first post-conviction remedy. Whether you appealed, what issues were raised, and the outcome determine: (a) when your conviction became 'final' for purposes of the § 2255 statute of limitations; (b) which issues are preserved for collateral review and which are procedurally defaulted; (c) whether the mandate has issued (which affects the sentencing court's jurisdiction). If you asked your attorney to file an appeal and they failed to do so, that itself is a § 2255 claim.

How to Answer: State: (a) whether a direct appeal was filed; (b) if yes, the appellate case number; (c) the issues raised; (d) the outcome (affirmed, reversed, remanded, dismissed); (e) the date of the circuit court's decision; and (f) whether a petition for certiorari was filed with the Supreme Court. If you asked your attorney to appeal and they did not file, state that explicitly, with as much detail as possible about when and how you made the request.

Common Mistakes to Avoid: Not knowing whether an appeal was filed. If you are unsure, say so — your legal team can check the circuit court docket. Assuming that because you pled guilty you could not appeal — guilty pleas preserve certain appellate issues, and plea agreements with appeal waivers may themselves be challengeable.

Question 49: *Have You Filed a § 2255 Motion?*

Why This Matters: A motion under 28 U.S.C. § 2255 challenges the legality of your conviction or sentence in the sentencing court. It is the primary vehicle for ineffective assistance of counsel claims, jurisdictional challenges, and constitutional violations. Under the Antiterrorism and Effective Death Penalty Act (AEDPA), you are generally entitled to only one § 2255 motion. A second or successive motion requires certification from the circuit court of appeals and may only raise newly discovered evidence or new rules of constitutional law made retroactive by the Supreme Court.

How to Answer: State: (a) whether you have filed a § 2255; (b) the case number (usually the same as your criminal case); (c) the date filed; (d) the issues raised; (e) the outcome; and (f) whether you appealed the denial (certificate of appealability). If you have never filed a § 2255, state that clearly. If you have filed one that is still pending, state the current status. This is critically important because if

your legal team files a second § 2255 without circuit court authorization, it will be dismissed and may compromise your claims.

Common Mistakes to Avoid: Filing a pro se § 2255 without legal guidance and raising claims poorly, which wastes your one shot. If you have not yet filed a § 2255, do not file one without consulting your legal team first.

Question 50-51: *Prior § 2241 Petitions and Compassionate Release Motions*

Why This Matters: Unlike § 2255, there is no statutory limit on the number of § 2241 habeas petitions or compassionate release motions you can file. However, prior filings are relevant because: (a) the government will cite prior denials as evidence that relief is unwarranted; (b) your legal team needs to distinguish new arguments from previously rejected ones; and (c) changed circumstances since a prior denial may itself be a basis for a new motion.

How to Answer: For each prior filing, provide: (a) the court and case number; (b) the date filed; (c) the type of relief sought; (d) the outcome (granted, denied, dismissed, pending); (e) the judge who ruled; and (f) a brief summary of the grounds raised. If you have filed compassionate release motions, note whether they were filed pro se or with counsel, and what grounds were raised.

Common Mistakes to Avoid: Failing to disclose a prior filing that was denied. The government will find it, and non-disclosure undermines your credibility. It is far better for your legal team to address a prior denial head-on than to be surprised by it.

SECTION X: ADMINISTRATIVE REMEDY HISTORY

Administrative exhaustion is the single most common reason federal courts dismiss § 2241 habeas petitions without reaching the merits. Under BOP's Administrative Remedy Program (28 C.F.R. §§ 542.10-.19), you must generally exhaust all administrative remedies before a court will hear your habeas claim. The process has four levels: informal resolution (BP-8), institution level (BP-9), Regional Director (BP-10), and General Counsel (BP-11). Failure to complete all four levels — or failure to document that you completed them — can result in immediate dismissal of your petition regardless of its merits.

EXHAUSTION IS JURISDICTIONAL IN MOST CIRCUITS

Many courts treat administrative exhaustion as a prerequisite to jurisdiction, meaning if you have not exhausted, the court lacks power to hear your case. There are exceptions — futility, undue delay, BOP's failure to respond within regulatory timeframes — but the default rule is: exhaust first, then file.

Question 52-55: *BP-8 / BP-9 / BP-10 / BP-11 Remedy History*

Why This Matters: Each level of the administrative remedy process must be documented with specificity. Courts require proof of exhaustion, not just your statement that you exhausted. BOP is required to respond within specific timeframes at each level: the Warden has 20 days to respond to a BP-9; the Regional Director has 30 days for a BP-10; the General Counsel has 40 days for a BP-11. Failure by BOP to respond within these timeframes may establish a futility exception to the exhaustion requirement.

How to Answer: For EACH administrative remedy you have filed, provide: (a) the remedy number (e.g., BP-9 No. 1234567-F1); (b) the date filed; (c) the issue raised; (d) the response received (granted, denied, rejected, or no response); (e) the date of the response; and (f) whether you appealed to the next level. If BOP failed to respond within the regulatory timeframe, note the date the response was due and that no response was received. If BOP rejected your remedy for procedural reasons (wrong form, untimely, wrong level), document that and explain whether you refiled correctly. Your legal team needs copies of every remedy you filed and every response you received. If you do not have copies, state that and your legal team will request your administrative remedy file from BOP.

Common Mistakes to Avoid: Filing at one level and not appealing to the next level. Failing to keep copies of your remedies and BOP responses. Filing remedies that are too vague — a remedy that says 'my sentence is wrong' is far less useful than one that says 'BOP has failed to apply 120 days of earned time credits as required by 18 U.S.C. § 3632.' Being specific at the administrative level preserves specific arguments for judicial review.

Question 56: *Have You Fully Exhausted Administrative Remedies?*

Why This Matters: This is a yes-or-no question, but the answer has to be supported by the documentation above. 'Fully exhausted' means you have completed all four levels — or that an exception to exhaustion applies (futility, BOP's failure to respond, emergency circumstances making exhaustion impractical).

How to Answer: State: Yes (completed through BP-11), Partial (completed through [level] but not further — explain why), or No (explain why not and what exception you believe applies). If you are

claiming a futility exception, explain the basis: BOP's failure to respond, predetermined outcomes, systemic failure to process remedies, etc. Under *Taylor v. Trump*, courts have recognized that BOP's predetermined denial of remedies may establish futility.

Common Mistakes to Avoid: Claiming exhaustion when you have not actually completed all levels. Courts verify exhaustion by reviewing BOP records. A false claim of exhaustion will destroy your credibility.

SECTION XI: GROUNDS FOR RELIEF

This is the section where you tell your legal team what you believe is wrong with your sentence, your confinement, or BOP's treatment of your case. You are not expected to write like a lawyer. You are expected to state, as specifically as possible, what happened that you believe was wrong, when it happened, and what the correct result should have been. Your legal team will translate your facts into legal arguments. But they cannot make arguments from facts you do not provide.

SPECIFICITY WINS CASES

A ground for relief that says 'BOP is not giving me my FSA credits' is a starting point. A ground that says 'I completed the Cognitive Behavioral Therapy EBRR program on March 15, 2025 (Certificate #CBT-2025-0412) and the Apprenticeship Welding productive activity on June 1, 2025 (Certificate #AW-2025-089). Based on my Minimum PATTERN score, I should have earned 15 days of ETC per 30-day period, totaling 120 days. BOP shows only 60 days applied. I filed BP-9 No. 1234567 on August 1, 2025, which was denied on August 20, 2025. I appealed to BP-10 on August 28, 2025, which was denied on September 30, 2025' — that is something your legal team can work with immediately.

Question 57-60: *Grounds for Relief (1 through 4)*

Why This Matters: The questionnaire provides space for up to four separate grounds for relief. Each ground should be a distinct legal or factual basis for the relief you are seeking. Do not combine multiple unrelated claims into a single ground. Your legal team will evaluate each ground independently for legal viability.

How to Answer: For each ground, provide: (a) a clear statement of what you believe is wrong (e.g., 'BOP failed to apply FSA earned time credits,' 'Sentencing court incorrectly calculated criminal history,' 'Mandatory minimum was improperly enhanced'); (b) the specific facts supporting the claim, with dates, names, document references, and any other concrete details; (c) what relief you believe you are entitled to (e.g., 'recalculation of release date,' 'resentencing,' 'application of 120 days ETC'); and (d) any documents that support this ground (administrative remedy responses, program certificates, sentencing documents, etc.). If you have fewer than four grounds, leave the extra spaces blank rather than padding with weak claims.

Common Mistakes to Avoid: Being vague. 'They messed up my sentence' is not a ground for relief. What did they mess up? How? When? Combining multiple separate issues into one ground. Each distinct claim should be its own ground so your legal team can evaluate and prioritize them independently.

Question 61: *Type of Relief Sought (Checkboxes)*

Why This Matters: The questionnaire includes checkboxes for the most common types of post-conviction relief: § 2241 Habeas Corpus, § 2255 Motion, Compassionate Release, FSA Credits Challenge, Sentence Computation Correction, RRC/Home Confinement, Direct Appeal, and Other. Check all that you believe apply, but understand that your legal team will assess which remedies are actually available and appropriate for your situation. Some clients check every box; that is not helpful. Check the boxes that correspond to your specific claims.

How to Answer: Check only the boxes that match your identified grounds for relief. If you are unsure which legal mechanism applies to your claim, check the box that seems closest and explain the underlying issue in the grounds for relief section. Your legal team will determine the correct procedural vehicle.

Common Mistakes to Avoid: Checking 'Direct Appeal' when the time for appeal has long passed. Checking '§ 2255' when you have already filed one (successive filing requires circuit court certification). Your legal team will correct any procedural errors, but selecting the right options helps them prioritize their evaluation.

SECTION XII: HEALTH, DISCIPLINE & ADDITIONAL INFORMATION

This section captures information that may not fit neatly into the categories above but is critically important for certain types of relief. Medical conditions drive compassionate release motions. Disciplinary history affects GCT, PATTERN scores, and the government's narrative about rehabilitation. Immigration status affects FSA eligibility. None of these can be assessed without complete, honest information.

Question 62: *Medical Conditions*

Why This Matters: For compassionate release under 18 U.S.C. § 3582(c)(1)(A), the defendant must show 'extraordinary and compelling reasons' for a sentence reduction. Medical conditions are the most common basis. Under USSG § 1B1.13(b)(1), terminal illness, serious physical or medical conditions, serious functional or cognitive impairment, and deteriorating physical or mental health that substantially diminishes the ability of the defendant to provide self-care are recognized grounds. Even if you are not currently pursuing compassionate release, documenting your medical conditions creates a record that may be needed later.

How to Answer: List every significant medical condition you have, including: (a) the condition name and diagnosis; (b) when you were diagnosed; (c) the current treatment (medications, therapies, surgeries); (d) whether BOP is providing adequate treatment; (e) any specialist referrals that have been requested or denied; and (f) whether your condition is terminal or degenerative. Be thorough. Include mental health conditions, chronic conditions, and conditions that have worsened during incarceration. If BOP's medical staffing shortages (BJS reports a 22% medical vacancy rate across BOP facilities) have affected your care, document that specifically.

Common Mistakes to Avoid: Minimizing medical conditions out of toughness or pride. Failing to document conditions that seem minor now but may worsen. Not noting BOP's failure to provide treatment or delays in care.

Question 63-64: *Disciplinary History (Incident Reports / Shots)*

Why This Matters: Your disciplinary record is one of the first things the government will cite in opposing any post-conviction motion. A clean disciplinary record supports arguments about rehabilitation and reduced risk. Incident reports, particularly recent ones, give the government ammunition to argue that you pose a danger to the community. Your legal team needs the complete record — not a sanitized version — so they can prepare for the government's arguments and mitigate any damage.

How to Answer: For each incident report, provide: (a) the date of the incident; (b) the charge code and description; (c) the outcome (guilty, not guilty, dismissed, expunged); (d) the sanction imposed (GCT loss, disciplinary segregation, loss of privileges); and (e) whether you appealed and the result. Also note the total GCT lost to disciplinary actions. If you have no incident reports, state 'No disciplinary history' clearly, as a clean record is a significant asset.

Common Mistakes to Avoid: Omitting incident reports that you believe were unfair or expunged. The government may have access to records you think are sealed. Disclose everything and let your legal team determine what is legally relevant. Not noting the recency of incidents — a shot from 2019 is far less damaging than one from last month.

Question 65: *Immigration Status and ICE Detainer*

Why This Matters: This is an FSA eligibility question. Under current BOP policy, inmates with final orders of deportation or ICE detainers are categorically excluded from applying earned time credits toward early release. However, this policy is subject to ongoing legal challenge, and your eligibility status may change. Additionally, immigration status affects RRC and home confinement placement, supervised release conditions, and the practical logistics of any release plan.

How to Answer: State: (a) whether you are a U.S. citizen; (b) if not, your immigration status (lawful permanent resident, visa holder, undocumented); (c) whether you have an ICE detainer lodged against you; (d) whether a final order of deportation has been entered; and (e) whether any immigration proceedings are pending. If you have a detainer that you believe was improperly lodged, explain the basis for that belief.

Common Mistakes to Avoid: Assuming an ICE detainer means you have no legal options. While detainers limit FSA prerelease benefits, they do not preclude all forms of post-conviction relief. A § 2241 challenge to sentence computation, for example, is available regardless of immigration status.

SECTION XIII: DOCUMENTS CHECKLIST

The questionnaire concludes with a comprehensive documents checklist. This is not optional. Your legal team cannot evaluate your case based solely on your narrative. They need the underlying documents. Every assertion you make on this questionnaire will be verified against documentary evidence before any filing is made. Providing documents upfront dramatically accelerates the evaluation process.

Question 66-74: Document Submission

Why This Matters: The checklist includes the following documents, each of which serves a specific purpose in your legal team's evaluation. You should provide every document you have access to. For documents you do not have, your legal team may be able to obtain them through BOP, PACER, or other channels, but that takes time.

How to Answer: For each item on the checklist, check whether you: (a) have a copy and are attaching it; (b) have a copy but are unable to attach it (explain why and how you can provide it); or (c) do not have a copy (your legal team will advise on how to obtain it). The checklist includes: Judgment and Commitment Order (essential — your case cannot be evaluated without this); Presentence Investigation Report; Plea Agreement; Sentencing Transcript; SENTRY Printout showing computation data; FSA Earned Time Credit Statement; Administrative Remedy filings and BOP responses (all levels); Program Completion Certificates; Disciplinary Records; Medical Records (if pursuing compassionate release); Direct Appeal briefing and opinion; Prior § 2255 or § 2241 filings and court orders; PATTERN Risk Assessment; and any other documents you believe are relevant to your claims.

Common Mistakes to Avoid: Sending only the documents that support your claims and withholding unfavorable documents. Your legal team needs the full picture. If there is a damaging document, they need to see it before the government uses it against you. Sending documents without labeling them — write the question number or category on each document so your legal team can match it to the relevant section of your questionnaire.

FINAL INSTRUCTIONS

Step-by-Step Completion Process

1. Gather all documents listed in Section XIII before you start writing. Having the paperwork in front of you prevents errors from memory.
2. Read this entire guide once before answering any questions. Understanding what information is needed and why will help you provide more accurate and complete answers.
3. Complete the questionnaire in pencil first (if handwriting) or in draft form (if typing), so you can make corrections before finalizing.
4. Answer every question. If the answer is 'Not Applicable' or 'Unknown,' write that rather than leaving the field blank. A blank field is ambiguous — your legal team cannot tell whether you skipped it or whether the answer is genuinely 'none.'
5. Use exact numbers, dates, and names. Do not approximate. If you cannot remember an exact date, provide the closest approximation you can and note that it is approximate.
6. Cross-reference your answers against your documents. Does the case number on Question 15 match your J&C? Does the register number on Question 3 match your BOP ID? Does the sentence on Question 23 match the J&C?
7. Make copies of the completed questionnaire and all attached documents for your personal records before mailing or submitting.
8. Submit the completed questionnaire and all supporting documents to your legal team via legal mail (marked 'Attorney-Client Privileged — Special Mail') or through a designated secure method.
9. Follow up with your legal team via TRULINCS to confirm receipt.

REMEMBER

Your legal team is building your case from what you provide in this questionnaire. Incomplete or inaccurate information does not protect you — it harms you. The government already has your records. Your legal team needs to have the same information so they can advocate effectively on your behalf. Accuracy, completeness, and honesty are not optional. They are the foundation of your case.

END OF GUIDE

Judicial Advocates — Federal Legal Document Preparation Services