



APPEAL

U.S. Department of Justice
United States Parole Commission

Name _____

Register No. _____ Institution _____

I received a Notice of Action dated _____ and appeal that decision under 28 C.F.R. §2.26 and/or §2.220.

(Signature)

(Date)

INSTRUCTIONS:

Eligibility to file the appeal. This appeal is available only to: (1) a U.S. Code offender who is eligible for parole (including a military offender); (2) a D.C. Code offender who wants review of a decision made after a revocation hearing; (3) a transfer treaty offender who committed the foreign offense before November 1, 1987; and (4) a state offender who is under the Commission's jurisdiction pursuant to 18 U.S.C. §3522.

Procedures. The appeal must be mailed to the Commission within 30 days from the date on the Notice of Action. The permissible grounds for appeal are described below. On page two of this form you must provide a brief summary of all the grounds for your appeal. On page three of this form you must provide a statement of the facts and reasons in support of each ground identified in your summary. Continuation pages are permitted for longer appeals. You may provide any additional information in an addendum to your appeal. The Commission may refuse to consider any appeal which does not follow this format. The appeal will be decided on the record, and you will be notified of the Commission's decision through a Notice of Action. Do not submit multiple copies of your appeal, and do not submit documents which are in the Commission's file.

Mailing address. You should mail the appeal to U.S. Parole Commission, Appeals Unit, 90 K Street, N.E., 3rd Floor, Washington, D.C. 20530.

Permissible grounds for appeal.

- (a) The Commission relied on erroneous information, and the actual facts justify a different decision.
- (b) There was significant information in existence but not known to me at the time of the hearing, and a different decision would have resulted if the information had been presented.
- (c) The Commission made a procedural error in my case, and a different decision would have resulted if the correct procedure had been followed.
- (d) The Commission applied a statute or regulation incorrectly (e.g., in determining my period of imprisonment as a supervised release violator, and/or my further term of supervised release).
- (e) The Commission made an error in applying the guidelines (error in offense severity rating, salient factor score, and/or calculating time in custody).
- (f) A decision outside the guidelines was not supported by the reasons or facts stated in the Notice of Action.
- (g) There are especially mitigating circumstances in my case which justify a different decision.

SUMMARY OF GROUNDS FOR APPEAL

Instructions: Briefly describe the error which you believe to have occurred, or the specific reason for the Commission to give you a different decision. You do not need to repeat the “ground for appeal” (from Page 1) which applies. Try to list your most important grounds for appeal first.

Ground One: _____

Ground Two: _____

Ground Three: _____

Ground Four: _____

Note: You may present as many grounds for appeal as you believe necessary. If you have more grounds for appeal than you can summarize in the space provided, you may complete your summary on a continuation page.

STATEMENT OF FACTS AND REASONS IN SUPPORT OF EACH GROUND FOR APPEAL

Instructions: Please present your grounds for appeal in the order in which they appear in your summary. For each ground of appeal, use the following format, first stating the facts that are relevant to deciding the ground you have identified, and then the reasons why you believe the Commission erred and/or should make a different decision. Use continuation pages in the same format.

Ground One: (Circle the applicable ground for appeal from Page 1: a b c d e f g).

Facts: _____

Reasons: _____

Ground Two: (Circle the applicable ground for appeal from Page 1: a b c d e f g).

Facts: _____

Reasons: _____

Ground Three: (Circle the applicable ground for appeal from Page 1: a b c d e f g).

Facts: _____

Reasons: _____

Ground Four: (Circle the applicable ground for appeal from Page 1: a b c d e f g).

Facts: _____

Reasons: _____

