

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF IDAHO

THOMAS K. HOOLEY,

Petitioner,

v.

WARDEN VALLEY,

Respondent.

Case No. 1:23-cv-00162-REP

**INITIAL REVIEW ORDER and  
NOTICE OF INTENT TO DISMISS**

Petitioner Thomas K. Hooley, an inmate in the custody of the Idaho Department of Correction, has filed a Petition for Writ of Habeas Corpus. *See* Dkt. 3. The Court must review each habeas corpus petition upon receipt to determine whether the petition is subject to summary dismissal pursuant to 28 U.S.C. § 2243 and Rule 4 of the Rules Governing Section 2254 Cases (“Habeas Rules”).

Petitioner has not complied with Habeas Rule 2(d), which requires any habeas petition brought pursuant to 28 U.S.C. § 2254 to “substantially follow either the form appended to these rules or a form prescribed by a local district-court rule.” This Court has adopted a local form for § 2254 petitioners.

Accordingly, within 60 days after entry of this Order, Petitioner must file an amended petition complying with Rule 2(d).

## ORDER

### IT IS ORDERED:

1. Petitioner's Application to Proceed in Forma Pauperis (Dkt. 1) is GRANTED. Petitioner must pay the \$5.00 filing fee when Petitioner next receives funds in his prison trust account.
2. Petitioner's Motion for Discovery (Dkt. 4) is DENIED without prejudice.
3. Within 60 days after entry of this Order, Petitioner must file an amended petition that complies with Habeas Rule 2(d).
4. The Clerk of Court will provide Petitioner with this Court's form § 2254 petition, and Petitioner is encouraged and expected to use that form to draft any amended petition. If Petitioner does not file a timely amended petition, this case may be dismissed without further notice.



DATED: May 15, 2023

A handwritten signature in black ink, reading "Raymond E. Patricco".

Honorable Raymond E. Patricco  
Chief U.S. Magistrate Judge