

**IN THE CIRCUIT COURT OF TENNESSEE
FOR THE 30TH JUDICIAL DISTRICT
AT MEMPHIS**

PETITION FOR WRIT OF HABEAS CORPUS

Petitioner

vs.

Docket # _____

Respondent

**TO THE HONORABLE JUDGES OF THE CIRCUIT COURT OF SHELBY COUNTY,
TENNESSEE:**

COMES NOW YOUR PETITIONER _____

Individually and as Legal Guardian of _____, a minor, and petitions
this court for a Writ of Habeas Corpus against the Respondent _____

_____ and respectfully states as follows:

1. _____ is the _____ of _____,
a minor born _____
2. On _____ in the _____ Court of _____
Petitioner was awarded legal custody of the minor child. A certified copy of said Order is
attached hereto and by reference made part hereof That Order has not been modified by
subsequent court action.
3. Respondent is unlawfully restraining the child and depriving him/her of his/her liberty.
4. Petitioner has demanded that said child be surrendered to Petitioner by the Respondent in order
that he/she might assume the lawful control, custody and care of the child to which Petitioner is
entitled. Petitioner is willing and able to exercise said custody. Despite Petitioner's demands,
Respondent has refused to surrender the child to the custody of Petitioner.

5. It would be in the manifest best interest of the minor child for him/her to be returned to Petitioner immediately because _____

Wherefore, because Petitioner is without remedy, except for a court having proper cognizance of the matter prays:

1. That a Writ of Habeas Corpus be granted and directed to said Respondent _____ to appear before this Honorable Court as such time as may be designated in said Writs and to then and there show cause why the said minor child _____, should not be placed in the custody of your Petitioner.
2. That this court forthwith issue a warrant directed to the Sheriff of Shelby County, Tennessee authorizing and directing him to immediately take into custody the minor child and place said child in the custody of him/her to await the final Orders of the court in this cause.
3. That the Respondent _____ pay Petitioner's expenses incurred in this cause.
4. The Petitioner has such other further and or general relief to which he/she may be entitled.

This is the first application for a Writ of Habeas Corpus or other extraordinary relief in this cause.

Petitioner

Address

**STATE OF TENNESSEE
COUNTY OF SHELBY**

Personally appeared before me the within named _____ who stated upon oath that the statements contained in the foregoing Petition for Writ of Habeas Corpus are true and correct to the best of his/her knowledge, information and belief.

Subscribed and sworn before me this _____ day of _____, 20____

My Commission expires:

Notary Public

FIAT

To the Clerk of this court:

Issue the Writ of Habeas Corpus prayed for in paragraphs one and two above and set a hearing

for said petition on the _____ day of _____, 20_____

at _____ A.M. / P.M.

Judge

Date