

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF DELAWARE

DARNELL A. DAVIS, )  
)  
Petitioner, )  
)  
v. ) Civil Action No. 06-709-GMS  
)  
RICHARD KEARNEY, )  
Warden, and CARL C. )  
DANBERG, Attorney )  
General of the State of )  
Delaware, )  
)  
Respondents. )

Civil Action No. 06-709-GMS



*BD scanned*

**AEDPA ELECTION FORM**

1. \_\_\_\_\_ I wish the Court to rule on my § 2254 petition as currently pending. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this petition will be my one opportunity to seek federal habeas corpus relief.
  
2. \_\_\_\_\_ I wish the Court to rule on my § 2254 petition as amended by my attached statement alleging my grounds for habeas relief. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this petition will be my one opportunity to seek federal

habeas corpus relief.

3. ✓ I wish to amend my § 2254 petition to include all the grounds I have. I will do so within thirty (30) days. I realize that the law does not allow me to file successive or later petitions unless I receive certification to do so from the United States Court of Appeals for the Third Circuit; therefore, this amended all-inclusive petition will be my one opportunity to seek federal habeas corpus relief.
4. \_\_\_\_\_ I wish to withdraw my § 2254 petition without prejudice to file one all-inclusive petition in the future; that is, one that raises all the grounds I have for federal habeas corpus relief. I realize this all-inclusive petition must be filed within the one-year period as defined by 28 U.S.C. § 2244(d). See Swartz v. Meyers, 204 F.3d 417 (3d Cir. 2000).
5. \_\_\_\_\_ I am not seeking federal habeas corpus relief under § 2254. I am instead seeking relief under \_\_\_\_\_.

Darrell A. Davis  
Petitioner