

UNITED STATES DISTRICT COURT

SOUTHERN DISTRICT OF CALIFORNIA

RENATA NIGIEMATULINA, A# [REDACTED]

Petitioner,

v.

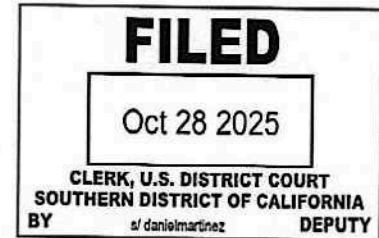
WARDEN OF OTAY MESA DETENTION CENTER,

U.S. Immigration and Customs Enforcement (ICE),

Respondents.

Case No. '25CV2933 AJB BJW

PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. §2241



## INTRODUCTION

Petitioner, RENATA NIGIEMATULINA, A# [REDACTED] respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. §2241 to challenge her unlawful and prolonged detention by the U.S. Department of Homeland Security (DHS) and U.S. Immigration and Customs Enforcement (ICE). She seeks immediate release under appropriate conditions of supervision.

## JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. §2241 because Petitioner is currently detained by ICE within this District, and her detention violates U.S. law and the Constitution. Venue is proper because Petitioner is held at Otay Mesa Detention Center, San Diego County, California.

## FACTUAL BACKGROUND

1. Petitioner is a native and citizen of Russia, A# [REDACTED].
2. She has been continuously detained by ICE at Otay Mesa Detention Center, since November 2024.
3. On June 20, 2025, Immigration Judge Eugene Robinson of the Otay Mesa Immigration Court **granted Petitioner's application for Withholding of Removal under INA §241(b)(3).**
4. DHS did not appeal the decision. More than 30 days have passed since the decision, and it is administratively final.
5. The Immigration Judge's order prohibits her removal to Russia.
6. ICE officers have acknowledged that third countries contacted have refused to accept Petitioner, though ICE has produced no documentation of any viable country of removal.
7. Petitioner has now been detained for nearly eleven months, far exceeding the six-month period permitted under controlling law.

8. Petitioner's health has seriously deteriorated during detention. She has made repeated requests for medical attention, but ICE has failed to provide adequate treatment. Supporting medical records and grievances are attached.
9. Because her removal is not reasonably foreseeable, continued detention serves no lawful purpose and is unconstitutional.

## **LEGAL CLAIMS**

### **Count I — Unlawful Prolonged Detention (*Zadvydas v. Davis*, 533 U.S. 678 (2001))**

The Supreme Court held that detention beyond six months is unconstitutional when removal is not reasonably foreseeable. Petitioner cannot be removed to Russia or to any other country, and therefore her continued detention is unlawful.

### **Count II — Due Process Violation (Fifth Amendment)**

Detaining Petitioner indefinitely without any legal basis constitutes a violation of her right to due process under the Fifth Amendment.

### **Count III — Inadequate Medical Care**

ICE's failure to provide necessary medical treatment violates Petitioner's constitutional rights and federal detention standards.


## **RELIEF REQUESTED**

WHEREFORE, Petitioner respectfully requests that this Court:

1. Issue a Writ of Habeas Corpus directing Respondents to immediately release her from ICE custody under appropriate conditions;
2. Order Respondents to provide adequate medical care until her release;
3. Grant such other relief as the Court deems just and proper.

**SIGNATURE**

Respectfully submitted,



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RENATA NIGIEMATULINA

A# 

In custody at Otay Mesa Detention Center

7488 Calzada de la Fuente

San Diego, CA 92154

Date: 10.06.2025

DECLARATION OF RENATA NIGIEMATULINA

I, Renata Nigmatulina, A# [REDACTED] declare under penalty of perjury pursuant to 28 U.S.C. §1746 that the following is true and correct:

1. I am a native and citizen of Russia.
2. I have been detained by U.S. Immigration and Customs Enforcement (ICE) at Otay Mesa Detention Center since November 2024.
3. On June 20, 2025, Immigration Judge Eugene Robinson granted my application for Withholding of Removal under INA §241(b)(3).
4. DHS did not appeal this decision, and it is now final.
5. I cannot be removed to Russia, as ordered by the immigration Judge. ICE officers told me that other countries contacted have refused to accept me, but I have not been given any documentation about this.
6. My health has worsened significantly during detention. I have repeatedly requested medical attention, but I have not received adequate treatment. Copies of my medical requests and grievances are attached.
7. I have now been detained for nearly eleven months. I respectfully ask the Court to grant my petition and order my immediate release.

  
A# [REDACTED]

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