

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT  
for the

**FILED**

Dec 12 2025

CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY s/ danielmartinez DEPUTY

Osaretin Osazee Jerry  
Petitioner

v.

'25CV3612 JES MSB

Case No.

~~XXXXXXXXXXXXXXXXXXXX~~  
(Supplied by Clerk of Court)

Respondent

(name of warden or authorized person having custody of petitioner)

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

Personal Information

1. (a) Your full name: Osaretin Osazee Jerry
- (b) Other names you have used: N/A
2. Place of confinement:
  - (a) Name of institution: Correction Corp of America
  - (b) Address: OTay Mesa Detention Center 7688 Calzada de la Fuente San Diego, CA 92154
  - (c) Your identification number: ~~XXXXXXXXXXXX~~
3. Are you currently being held on orders by:
 

Federal authorities     State authorities     Other - explain:
4. Are you currently:
 

A pretrial detainee (waiting for trial on criminal charges)

Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime

If you are currently serving a sentence, provide:

  - (a) Name and location of court that sentenced you: \_\_\_\_\_
  - (b) Docket number of criminal case: \_\_\_\_\_
  - (c) Date of sentencing: \_\_\_\_\_

Being held on an immigration charge

Other (explain): \_\_\_\_\_

Decision or Action You Are Challenging

5. What are you challenging in this petition:
 

How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- Pretrial detention
- Immigration detention
- Detainer
- The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- Disciplinary proceedings
- Other (explain): \_\_\_\_\_

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Otay Mesa Immigration Court, 7488 Calzada de la Fuente, San Diego, CA 92150

(b) Docket number, case number, or opinion number: [REDACTED]

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):

After been detained for almost (3) three months, I requested for a bond hearing but my bond was withdraw by my lawyers and the immigration judge saying I cross the border, I'm not eligible

(d) Date of the decision or action: \_\_\_\_\_

**Your Earlier Challenges of the Decision or Action**

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

- Yes
- No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not appeal: I was never asked to appeal that decision

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- Yes
- No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not file a second appeal: N/A

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes  No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: \_\_\_\_\_

(2) Date of filing: \_\_\_\_\_

(3) Docket number, case number, or opinion number: \_\_\_\_\_

(4) Result: \_\_\_\_\_

(5) Date of result: \_\_\_\_\_

(6) Issues raised: \_\_\_\_\_

(b) If you answered "No," explain why you did not file a third appeal: N/A

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes  No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes  No

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If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

Yes  No

If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Date of filing: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes  No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 05/15/2025
- (b) Date of the removal or reinstatement order: N/A
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes  No

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If "Yes," provide:

- (1) Date of filing: \_\_\_\_\_
- (2) Case number: \_\_\_\_\_
- (3) Result: \_\_\_\_\_
- (4) Date of result: \_\_\_\_\_
- (5) Issues raised: \_\_\_\_\_

(d) Did you appeal the decision to the United States Court of Appeals?

Yes  No

If "Yes," provide:

- (1) Name of court: \_\_\_\_\_
- (2) Date of filing: \_\_\_\_\_
- (3) Case number: \_\_\_\_\_
- (4) Result: \_\_\_\_\_
- (5) Date of result: \_\_\_\_\_
- (6) Issues raised: \_\_\_\_\_

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

Yes  No

If "Yes," provide:

- (a) Kind of petition, motion, or application: \_\_\_\_\_
- (b) Name of the authority, agency, or court: \_\_\_\_\_
- (c) Date of filing: \_\_\_\_\_
- (d) Docket number, case number, or opinion number: \_\_\_\_\_
- (e) Result: \_\_\_\_\_
- (f) Date of result: \_\_\_\_\_
- (g) Issues raised: \_\_\_\_\_

Grounds for Your Challenge in This Petition

- 13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: I have been detain for almost 6 months going to 7 months.

(a) Supporting facts (Be brief. Do not cite cases or law.):

I cross the border on 08/08/2022 and I was interview on 08/22/2022, I was release after my interview and I have been going to my immigration appointment. I was arrested in court on May 15<sup>th</sup> 2025.

(b) Did you present Ground One in all appeals that were available to you?

Yes  No

GROUND TWO: I fell so bad to be here for a long time. I felt had to detain for so long without getting release.

(a) Supporting facts (Be brief. Do not cite cases or law.):

Is running me emotional and physical and I have no criminal record but I'm in prison for almost 7 months without good foods and health.

(b) Did you present Ground Two in all appeals that were available to you?

Yes  No

GROUND THREE: N/A

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Three in all appeals that were available to you?

Yes  No

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GROUND FOUR: N/A

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Four in all appeals that were available to you?

Yes  No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: N/A

Request for Relief

15. State exactly what you want the court to do: I want the court to help me get out of here either on bond, or parole so I can get out and continue to fighting my case outside the immigration custody.

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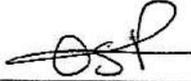
**Declaration Under Penalty Of Perjury**

If you are incarcerated, on what date did you place this petition in the prison mail system:

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I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 12-07-2025



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*Signature of Petitioner*

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*Signature of Attorney or other authorized person, if any*

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

**Instructions**

1. **Who Should Use This Form.** You should use this form if
  - you are a federal prisoner and you wish to challenge the way your sentence is being carried out (*for example, you claim that the Bureau of Prisons miscalculated your sentence or failed to properly award good time credits*);
  - you are in federal or state custody because of something other than a judgment of conviction (*for example, you are in pretrial detention or are awaiting extradition*); or
  - you are alleging that you are illegally detained in immigration custody.
2. **Who Should Not Use This Form.** You should not use this form if
  - you are challenging the validity of a federal judgment of conviction and sentence (*these challenges are generally raised in a motion under 28 U.S.C. § 2255*);
  - you are challenging the validity of a state judgment of conviction and sentence (*these challenges are generally raised in a petition under 28 U.S.C. § 2254*); or
  - you are challenging a final order of removal in an immigration case (*these challenges are generally raised in a petition for review directly with a United States Court of Appeals*).
3. **Preparing the Petition.** The petition must be typed or neatly written, and you must sign and date it under penalty of perjury. **A false statement may lead to prosecution.**
4. **Answer all the questions.** You do not need to cite law. You may submit additional pages if necessary. If you do not fill out the form properly, you will be asked to submit additional or correct information. If you want to submit any legal arguments, you must submit them in a separate memorandum. Be aware that any such memorandum may be subject to page limits set forth in the local rules of the court where you file this petition. If you attach additional pages, number the pages and identify which section of the petition is being continued. All filings must be submitted on paper sized 8½ by 11 inches. **Do not use the back of any page.**
5. **Supporting Documents.** In addition to your petition, you must send to the court a copy of the decisions you are challenging and a copy of any briefs or administrative remedy forms filed in your case.
6. **Required Filing Fee.** You must include the \$5 filing fee required by 28 U.S.C. § 1914(a). If you are unable to pay the filing fee, you must ask the court for permission to proceed in forma pauperis – that is, as a person who cannot pay the filing fee – by submitting the documents that the court requires.
7. **Submitting Documents to the Court.** Mail your petition and \_\_\_\_\_ copies to the clerk of the United States District Court for the district and division in which you are confined. For a list of districts and divisions, see 28 U.S.C. §§ 81-131. All copies must be identical to the original. Copies may be legibly handwritten.  
  
If you want a file-stamped copy of the petition, you must enclose an additional copy of the petition and ask the court to file-stamp it and return it to you.
8. **Change of Address.** You must immediately notify the court in writing of any change of address. If you do not, the court may dismiss your case.

U.S. Department of Homeland Security

Notice and Order of Expedited Removal

DETERMINATION OF INADMISSIBILITY

Event No. [Redacted]

File No: [Redacted]

Date: August 09, 2022

In the Matter of: OSARETIN JERRY OSAZEE

Pursuant to section 235(b)(1) of the Immigration and Nationality Act (Act), (8 U.S.C. 1225(b)(1)), the Department of Homeland Security has determined that you are inadmissible to the United States under section(s) 212(a) [ ] (6)(C)(i); [ ] (6)(C)(ii); [x] (7)(A)(i)(I); [ ] (7)(A)(i)(II); [ ] (7)(B)(i)(I); and/or [ ] (7)(B)(i)(II) of the Act, as amended, and therefore are subject to removal, in that:

1. You are an immigrant not in possession of a valid unexpired immigrant visa, reentry permit, border crossing card, or other valid entry document required by the Immigration and Nationality Act. You are not a citizen or national of the United States, you are a native of Nigeria and a citizen of Nigeria, and on August 8, 2022, you illegally entered the United States at/near San Ysidro, California, and you were not inspected by an Immigration Officer.

MANGLIO GARCIA

BORDER PATROL AGENT

Name and title of immigration officer (Print)

MANGLIO A GARCIA

Date: 2022.08.09 00:37:50

0121361723.CBP

Signature of immigration officer

ORDER OF REMOVAL UNDER SECTION 235(b)(1) OF THE ACT

Based upon the determination set forth above and evidence presented during inspection or examination pursuant to section 235 of the Act, and by the authority contained in section 235(b)(1) of the Act, you are found to be inadmissible as charged and ordered removed from the United States.

Name and title of immigration officer (Print)

Signature of immigration officer

Name and title of supervisor (Print)

Signature of supervisor, if available

[ ] Check here if supervisory concurrence was obtained by telephone or other means (no supervisor on duty).

CERTIFICATE OF SERVICE

I personally served the original of this notice upon the above-named person on \_\_\_\_\_ (Date)

Signature of immigration officer

**Jurat for Record of Sworn Statement in Proceedings under Section 235(b)(1) of the Act**

U.S. Department of Homeland Security

Q: Why did you leave your home country or country of last residence?

A. For fear of conflicts in my country and attacks on students.

Q. Do you have any fear or concern about being returned to your home country or being removed from the United States?

A. Yes.

Q. Would you be harmed if you are returned to your home country or country of last residence?

A. Yes.

Q. Do you have any question or is there anything else you would like to add?

A. No.

I have read (or have had read to me) this statement, consisting of 1 pages (including this page). I state that my answers are true and correct to the best of my knowledge and that this statement is a full, true and correct record of my interrogation on the date indicated by the above named officer of the Department of Homeland Security. I have initialed each page of this statement (and the corrections noted on page(s) \_\_\_\_\_).

Signature: OSARETIN JERRY OSAZEE *OS*

Sworn and subscribed to before me at IMPERIAL BEACH, CA, BORDER PATROL STATION on August 09, 2022.

**MANGLIO GARCIA**  
**BORDER PATROL AGENT**

MANGLIO A GARCIA  
Date: 2022.08.09 00:38:31  
0121361723.CBP

Signature of Immigration Officer

Witnessed by: ARMANDO A. HERNANDEZ *Armando Hernandez*

Record of Sworn Statement in Proceedings under Section 235(b)(1) of the Act

U.S. Department of Homeland Security

Office: IMPERIAL BEACH, CA, BORDER PATROL STATION

File No: [REDACTED] Event No: [REDACTED]

Statement by: OSAZEE, OSARETIN JERRY

In the case of: OSARETIN JERRY OSAZEE

Date of Birth: [REDACTED]

Gender (select one): Male Female

At: IMPERIAL BEACH, CA, BORDER PATROL STATION Date: August 09, 2022

Before: MANGLIO GARCIA (Name and Title) BORDER PATROL AGENT

In the ENGLISH language. Interpreter NONE USED Employed by

I am an officer of the United States Department of Homeland Security. I am authorized to administer the immigration laws and to take sworn statements. I want to take your sworn statement regarding your application for admission to the United States. Before I take your statement, I also want to explain your rights, and the purpose and consequences of this interview.

You do not appear to be admissible or to have the required legal papers authorizing your admission to the United States. This may result in your being denied admission and immediately returned to your home country without a hearing. If a decision is made to refuse your admission into the United States, you may be immediately removed from this country, and if so, you may be barred from reentry for a period of 5 years or longer.

This may be your only opportunity to present information to me and the Department of Homeland Security to make a decision. It is very important that you tell me the truth. If you lie or give misinformation, you may be subject to criminal or civil penalties, or barred from receiving immigration benefits or relief now or in the future.

Except as I will explain to you, you are not entitled to a hearing or review.

U.S. law provides protection to certain persons who face persecution, harm or torture upon return to their home country. If you fear or have a concern about being removed from the United States or about being sent home, you should tell me so during this interview because you may not have another chance. You will have the opportunity to speak privately and confidentially to another officer about your fear or concern. That officer will determine if you should remain in the United States and not be removed because of that fear.

Until a decision is reached in your case, you will remain in the custody of the Department of Homeland Security.

Any statement you make may be used against you in this or any subsequent administrative proceeding.

Q. Do you understand what I have said to you?

A. Yes.

Q. Do you have any questions?

A. No.

Q. Are you willing to answer my questions at this time?

A. Yes.

Q. Do you swear or affirm that all statements you are about to make are true and complete?

A. Yes.

Q. What is your true and complete name?

A. Osaretin Jerry OSAZEE.

Q. Have you ever used any other names?

A. No.

... (CONTINUED ON I-831)

U.S. Department of Homeland Security

Continuation Page for Form 1867A

Alien's Name <b>OSARETIN JERRY OSAZEE</b>	File Number 	Date <b>August 09, 2022</b>
<p>Q. What is your date of birth?  A. </p> <p>Q. Where were you born?  A. Edu State, Nigeria.</p> <p>Q. What country are you a citizen of?  A. Nigeria.</p> <p>Q. Are you in possession of any immigration documents that allow you to enter or remain in the United States legally?  A. No.</p> <p>Q. Have you ever applied for any immigration status?  A. No.</p> <p>Q. What country are your parents' citizens of?  A. Nigeria.</p> <p>Q. Where do your parents reside?  A. Nigeria.</p> <p>Q. Do you have any family residing in the United States?  A. No.</p> <p>Q. Do you have any petitions filed on your behalf?  A. No.</p> <p>Q. For what purpose did you enter the United States illegally?  A. For fear of conflicts in my country and attacks on students.</p> <p>Q. What was your intended destination in the United States?  A. California.</p> <p>Q. When and where did you last enter the United States illegally?  A. Today (8/8/2022), near Tijuana, Mexico.</p> <p>Q. Were you inspected by immigration officers at a Port of Entry?  0</p> <p>A. No.</p> <p>Q. Have you ever been apprehended by any law enforcement officers in the United States or your country of citizenship?  A. No.</p> <p>Q. How many times have you been apprehended by the United States Border Patrol for entering the United States illegally?  A. This is the first time.</p> <p>Q. What happened after the United States Border Patrol apprehended you?  A. I was brought here (Imperial Beach Station).</p> <p>Q. Have you ever been presented before an Immigration Judge?  A. No.</p> <p>Q. Were you advised of your consulate rights?  A. Yes.</p> <p>Q. Do you want to speak to a consulate officer?  A. No.</p>		
Signature  <b>MANGLIO GARCIA</b>	MANGLIO A GARCIA Date: 2022.08.09 10:07:00 -07:00 0121361723.CBP	Title  <b>BORDER PATROL AGENT</b>

U.S. Department of Justice

**Change of Address/Contact Information Form**  
**Immigration Court**

Executive Office for Immigration Review

**Instructions:** To complete this form, fill out all blanks below, including proof of service, which certifies that you will provide a copy of this form to the Department of Homeland Security (DHS). After filling in the blanks and signing both the declaration and proof of service, you must submit the form electronically, in person, or by mail. If submitting electronically, file in Respondent Portal at <https://respondentaccess.eoir.justice.gov>. Attorneys and fully accredited representatives submitting this form electronically must file in Case Portal at <https://portal.eoir.justice.gov>. If submitting by mail, follow the mailing instructions on Page 2. You must submit a separate copy of this form for each individual who has a case pending in immigration court and whom the change of information affects.

You must file this form with the immigration court within five working days of the change to your contact information, or your receipt of a charging document (e.g., a Notice to Appear) with incorrect contact information. The immigration court will send all official correspondence (e.g., notices, decisions) to the address you provide. The immigration court will only make any change(s) to your contact information in EOIR's records upon receipt of this form; the immigration court will not change your contact information based on different information on pleadings, motions, or other communications with the court.

If you fail to appear at any hearing before an immigration judge when notice of that hearing or other official correspondence was served on you or sent to the address you provided, DHS may take you into custody. In addition, the immigration court may conduct your hearing in your absence and enter an order of removal, deportation, or exclusion against you. If the court enters such an order, you may be ineligible for certain forms of relief from removal under the Immigration and Nationality Act as follows:

- If you are in *removal* proceedings: You will be subject to an order of removal for a period of ten years after the date of entry of the final order. You may also become ineligible for voluntary departure, cancellation of removal, and adjustment of status or change of status.
- If you are in *deportation* proceedings: You will be subject to an order of deportation for a period of five years after the date of the entry of the final order. You may also become ineligible for voluntary departure, suspension of deportation or voluntary departure, and adjustment of status or change of status.
- If you are in *exclusion* proceedings: Your application for admission to the United States may be considered withdrawn.

Name – Last, First, Middle, Suffix (if applicable):	A-Number:
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My FORMER address and phone number were:
"in care of" other person (if any)
Number; Street; Apartment (if any)
City, State, and ZIP code; Country (if other than U.S.)
Phone Number (include country code if other than U.S.)
Email Address

My CURRENT address and phone number are:
"in care of" other person (if any)
Number; Street; Apartment (if any)
City, State, and ZIP code; Country (if other than U.S.)
Phone Number (include country code if other than U.S.)
Email Address

I declare under penalty of perjury, pursuant to 28 U.S.C. § 1746, that I am the person named above associated with the A-Number listed above, and that the information contained in this form is true and correct to the best of my knowledge.

<b>SIGN HERE</b>	x _____ Signature	_____ Date
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**PROOF OF SERVICE**

I, \_\_\_\_\_, provided a copy of this Change of Address Form on, \_\_\_\_\_ to the  
(Name) (date)  
 to the Office of the Principal Legal Advisor for DHS Immigration and Customs Enforcement-ICE at:

(Indicate if electronic/email service, or in-person or mail service (provide Number and Street, City, State, ZIP Code))

By signing, I agree to provide a copy of this Change of Address Form to the Office of the Principal Legal Advisor for DHS Immigration and Customs Enforcement-ICE at the location I selected above. I understand that I can provide DHS with a copy either electronically through the DHS eService portal (register at <https://eserviceregistration.ice.gov>), or by mail or personal delivery.

No service needed. I am an ECAS-registered user who filed through the ECAS Case Portal.

<b>SIGN HERE</b>	x _____ Signature
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