

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

UNITED STATES DISTRICT COURT  
for the  
Southern District of California

ROMIK PARUNAKYAN

*Petitioner*

v.

WARDEN OF OTAY MESA DETENTION CENTER


*Respondent*

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

Case No. **'25CV3739 LL MSB**  
*(Supplied by Clerk of Court)*

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

**Personal Information**

1. (a) Your full name: ROMIK PARUNAKYAN  
(b) Other names you have used: N/A
2. Place of confinement:  
(a) Name of institution: OTAY MESA DETENTION CENTER  
(b) Address: 7488 CALZADA DE LA FUENTE  
SAN DIEGO, CA 92154  
(c) Your identification number: 
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 DETENTION CENTER  
7488 CALZADA DE LA FUENTE, SAN DIEGO, CA 92154

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):  
Detention without bond hearing, because Immigration Judge "has no jurisdiction" even if detention is prolonged.

(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: \_\_\_\_\_

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: \_\_\_\_\_

\_\_\_\_\_

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: \_\_\_\_\_

\_\_\_\_\_

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: 12/14/2024
- (b) Date of the removal or reinstatement order: \_\_\_\_\_
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes  No

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

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: \_\_\_\_\_

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**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:** Due process clause of the Fifth Amendment of the US Constitution.

Detention exceeds six months without bond hearing.

As a remedy, this Court should conduct its own review of Petitioners custody, or at least, order ICE to review Petitioner's custody under the standard articulated in ICE custody.

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 Do not cite cases or law.):*

Individual hearings has been reset three times. Petitioner started his merits hearing on July 29, 2025 and direct examination was concluded. Hearing was unreasonably delayed to October 30, 2025, then IJ Paula Dixon was terminated, causing again unreasonable delay in process to March 20, 2026. All three times individual hearings were continued and delayed at no fault on the part of Petitioner, who has been detained since 12/14/24. See Exhibit "A" all notices of individual hearings.

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

Yes  No

**GROUND TWO:** VIOLATION OF IMMIGRATION AND NATIONALITY ACT, 8 U.S.C. SECTION 1231(a)(6)

8 U.S.C. SECTION 1231(a)(6), as interpreted by the Supreme Court in Zadvydas, authorizes detention only for "a period reasonably necessary to bring about the alien's removal from the United States." 533 U.S. at 689, 701. Petitioner's continued detention has become unreasonable because his removal is not foreseeable.

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

Individual hearings has been reset three times. 1-st individual hearing: previously set March 3, 2025 was reset to July 29, 2025; 2-nd individual hearing: previously set July 29, 2025 was reset to October 30, 2025; 3-rd individual hearing: previously set to October 30, 2025 was reset to March 20, 2026. Petitioner started his merits hearing on July 29, 2025 and direct examination was concluded. Hearing was unreasonably delayed to October 30, 2025, then IJ Paula Dixon was terminated, causing again unreasonable delay in process to March 20, 2026.

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

Yes  No

**GROUND THREE:** ARBITRARY AND CAPRICIOUS AGENCY ACTION UNDER THE ADMINISTRATIVE

PROCEDURE ACT 5 U.S.C. SECTION 706(2)(A). Courts must "hold unlawful and set aside agency action" that is "arbitrary, capricious, an abuse of discretion, or otherwise in accordance with law." 5 U.S.C. SECTION 706(2)(A).

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

Individual hearings has been reset three times. 1-st individual hearing: previously set March 3, 2025 was reset to July 29, 2025; 2-nd individual hearing: previously set July 29, 2025 was reset to October 30, 2025; 3-rd individual hearing: previously set to October 30, 2025 was reset to March 20, 2026. Petitioner started his merits hearing on July 29, 2025 and direct examination was concluded. Hearing was unreasonably delayed to October 30, 2025, then IJ Paula Dixon was terminated, causing again unreasonable delay in process to March 20, 2026.

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

Yes  No

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**GROUND FOUR:** Respondent's health condition has been deteriorating.

Respondent has a preexisting condition of blood pressure and Hypertension.

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

Respondent has been under constant medical care in the Otay Mesa Detention Facility. Medical records from the detention center will reflect that Respondent has problems with elevated blood pressure reading, Hypertension, Suicidal ideation, Tinea pedis, History of Hunger, which symptoms were exacerbated due to continued detention.

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(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:

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**Request for Relief**

15. State exactly what you want the court to do: Assume jurisdiction over this matter; issue an order to show why this petition should not be granted within (3) days; declare that Petitioner's detention/challenged action violates the Due Process Clause of the Fifth Amendment, 8 U.S.C. section 1231 (a)(96) and violates Administrative Procedure Act; Issue a Writ of Habeas Corpus ordering Respondent to be released; award Petitioner attorney's fees and costs under the Equal Access to Justice Act, and on any other basis justified under law; grant any further relief as Court deems just and proper.

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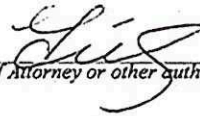
I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 12/23/2025



*Signature of Petitioner*

*Detained*



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

# **EXHIBIT “A”**

UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OTAY MESA IMMIGRATION COURT

LEAD FILE: [REDACTED]  
IN REMOVAL PROCEEDINGS  
DATE: Feb 25, 2025

TO:  
PARUNAKYAN, ROMIK  
C/O LOGAN WOLF  
DHS CUSTODY  
SAN DIEGO, CA 92154

RE: [REDACTED] PARUNAKYAN, ROMIK

**Notice of In-Person Hearing**

Your case has been scheduled for a INDIVIDUAL hearing before the immigration court on:

Date: Mar 3, 2025  
Time: 1:00 P.M. PT  
Court Address: 7488 CALZADA DE LA FUENTE, SAN DIEGO, CA 92154

**Representation:** You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers> is a list of free legal service providers who may be able to assist you.

**Failure to Appear:** If you fail to appear at your hearing and the Department of Homeland Security establishes by clear, unequivocal, and convincing evidence that written notice of your hearing was provided and that you are removable, you will be ordered removed from the United States. Exceptions to these rules are only for exceptional circumstances.

**Change of Address:** The court will send all correspondence, including hearing notices, to you based on the most recent contact information you have provided, and your immigration proceedings can go forward in your absence if you do not appear before the court. If your contact information is missing or is incorrect on the Notice to Appear, you must provide the immigration court with your updated contact information within five days of receipt of that notice so you do not miss important information. Each time your address, telephone number, or email address changes, you must inform the immigration court within five days. To update your contact information with the immigration court, you must complete a Form EOIR-33 either online at <https://respondentaccess.eoir.justice.gov/en/> or by completing the enclosed paper form and mailing it to the immigration court listed above.

**Internet-Based Hearings:** If you are scheduled to have an internet-based hearing, you will appear by video or telephone. If you prefer to appear in person at the immigration court named above, you must file a motion for an in-person hearing with the immigration court at least fifteen days before the hearing date provided above. Additional information about internet-based hearings for each immigration court is available on EOIR's website at <https://www.justice.gov/eoir/eoir-immigration-court-listing>.

**In-Person Hearings:** If you are scheduled to have an in-person hearing, you will appear in person at the immigration court named above. If you prefer to appear remotely, you must file a motion for an internet-based hearing with the immigration court at least fifteen days before the hearing date provided above.

For information about your case, please call 1-800-898-7180 (toll-free) or 304-625-2050.

**The Certificate of Service on this document allows the immigration court to record delivery of this notice to you and to the Department of Homeland Security.**

CERTIFICATE OF SERVICE

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DATE: 02/25/2025 BY: COURT STAFF RR  
Attachments:[ ] EOIR-33 [ ] Appeal Packet [ ] Legal Services List [ ] Other NH

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ਨੋਟਿਸ ਨੂੰ ਅਨਲਾਈਨ ਪੜ੍ਹਨ ਲਈ ਇਸ ਪੇਜ 'ਤੇ ਕੋਡ ਨੂੰ ਸਕੈਨ ਕਰਨ ਲਈ ਸਮਾਰਟਫੋਨ ਦੇ ਕੈਮਰੇ ਦੀ ਵਰਤੋਂ ਕਰੋ।

অনলাইনে না.এইটিশ পড়ার জন্য এই পয়েন্টে ক.এডটি স্ক্যান করতে স্মার্টফোন.এর ক্যামেরা ব্যবহার করুন।

सूचना अनलाइनमा पढ्न यस पृष्ठमा कोड स्क्यान गर्न स्मार्टफोनको क्यामेरा प्रयोग गर्नुहोस्।

Sèvi ak kamera yon telefòn entèlijan pou eskane kòd ki nan paj sa a pou li avi a sou entènèt.

استخدم كاميرا الهاتف الذكي لمسح الرمز الموجود في هذه الصفحة لقراءة الإشعار على الإنترنت

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UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OTAY MESA IMMIGRATION COURT

LEAD FILE: [REDACTED]  
IN REMOVAL PROCEEDINGS  
DATE: May 21, 2025

TO: Zohrabyan Law, APC  
Zohrabyan, Naira  
100 West Broadway  
Suite 540  
Glendale , CA 91210

RE: [REDACTED] PARUNAKYAN, ROMIK

**Notice of In-Person Hearing**

Your case has been scheduled for a **INDIVIDUAL hearing** before the immigration court on:

**Date:** Jul 29, 2025  
**Time:** 10:00 A.M.- 12:00 P.M. PT  
**Court Address:** 7488 CALZADA DE LA FUENTE, SAN DIEGO, CA 92154

**Representation:** You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers> is a list of free legal service providers who may be able to assist you.

**Failure to Appear:** If you fail to appear at your hearing and the Department of Homeland Security establishes by clear, unequivocal, and convincing evidence that written notice of your hearing was provided and that you are removable, you will be ordered removed from the United States. Exceptions to these rules are only for exceptional circumstances.

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For information about your case, please call **1-800-898-7180** (toll-free) or **304-625-2050**.

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CERTIFICATE OF SERVICE

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[E] Noncitizen ATT/REP | [E] DHS  
DATE: 05-21-2025 BY: COURT STAFF VA  
Attachments: [ ] EOIR-33 [ ] Appeal Packet [ ] Legal Services List [ ] Other NH

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অনলাইন না-ওর্টিশ পড়ার জন্য এই পজেরে কোডটি স্ক্যান করলে স্মার্টফোনের ক্যামেরা ব্যবহার করুন।

सूचना अनलाइनमा पढ्न यस पृष्ठमा कोड स्क्यान गर्न स्मार्टफोनको क्यामेरा प्रयोग गर्नुहोस्।

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استخدم كاميرا الهاتف الذكي لمسح الرمز الموجود في هذه الصفحة لقراءة الإشعار على الإنترنت

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UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OTAY MESA IMMIGRATION COURT

LEAD FILE: [REDACTED]  
IN REMOVAL PROCEEDINGS  
DATE: Jul 29, 2025

TO: Zohrabyan Law, APC  
Zohrabyan, Naira  
100 West Broadway  
Suite 540  
Glendale , CA 91210

RE: [REDACTED] PARUNAKYAN, ROMIK

**Notice of In-Person Hearing**

Your case has been scheduled for a **INDIVIDUAL hearing** before the immigration court on:

**Date:** Oct 30, 2025  
**Time:** 10:00 A.M.-12:00 P.M. PT  
**Court Address:** 7488 CALZADA DE LA FUENTE, SAN DIEGO, CA 92154

**Representation:** You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers> is a list of free legal service providers who may be able to assist you.

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UNITED STATES DEPARTMENT OF JUSTICE  
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW  
OTAY MESA IMMIGRATION COURT

LEAD FILE: [REDACTED]  
IN REMOVAL PROCEEDINGS  
DATE: Nov 20, 2025  
EAD Clock: 183 days elapsed

TO: Zohrabyan Law, APC  
Zohrabyan, Naira  
100 West Broadway  
Suite 540  
Glendale , CA 91210

RE: [REDACTED] PARUNAKYAN, ROMIK

**Notice of In-Person Hearing**

Your case has been scheduled for a **INDIVIDUAL hearing** before the immigration court on:

**Date:** Mar 20, 2026  
**Time:** 10:00 A.M. PT  
Court Address: 7488 CALZADA DE LA FUENTE, SAN DIEGO, CA 92154

**Representation:** You may be represented in these proceedings, at no expense to the Government, by an attorney or other representative of your choice who is authorized and qualified to represent persons before an immigration court. If you are represented, your attorney or representative must also appear at your hearing and be ready to proceed with your case. Enclosed and online at <https://www.justice.gov/eoir/list-pro-bono-legal-service-providers> is a list of free legal service providers who may be able to assist you.

**Failure to Appear:** If you fail to appear at your hearing and the Department of Homeland Security establishes by clear, unequivocal, and convincing evidence that written notice of your hearing was provided and that you are removable, you will be ordered removed from the United States. Exceptions to these rules are only for exceptional circumstances.

**Change of Address:** The court will send all correspondence, including hearing notices, to you based on the most recent contact information you have provided, and your immigration proceedings can go forward in your absence if you do not appear before the court. If your contact information is missing or is incorrect on the Notice to Appear, you must provide the immigration court with your updated contact information within five days of receipt of that notice so you do not miss important information. Each time your address, telephone number, or email address changes, you must inform the immigration court within five days. To update your contact information with the immigration court, you must complete a Form EOIR-33 either online at <https://respondentaccess.eoir.justice.gov/en/> or by completing the enclosed paper form and mailing it to the immigration court listed above.

**Internet-Based Hearings:** If you are scheduled to have an internet-based hearing, you will appear by video or telephone. If you prefer to appear in person at the immigration court named above, you must file a motion for an in-person hearing with the immigration court at least fifteen days before the hearing date provided above. Additional information about internet-based hearings for each immigration court is available on EOIR's website at <https://www.justice.gov/eoir/eoir-immigration-court-listing>.

**In-Person Hearings:** If you are scheduled to have an in-person hearing, you will appear in person at the immigration court named above. If you prefer to appear remotely, you must file a motion for an internet-based hearing with the immigration court at least fifteen days before the hearing date provided above.

For information about your case, please call 1-800-898-7180 (toll-free) or 304-625-2050.

**The Certificate of Service on this document allows the immigration court to record delivery of this notice to you and to the Department of Homeland Security.**

CERTIFICATE OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL[M] PERSONAL SERVICE[P] ELECTRONIC SERVICE[E]  
TO: [ ] Noncitizen | [ ] Noncitizen c/o Custodial Officer |  
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DATE: 11-20-2025 BY: COURT STAFF VA  
Attachments: [ ] EOIR-33 [ ] Appeal Packet [ ] Legal Services List [ ] Other NH

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ਨੋਟਿਸ ਨੂੰ ਅਨਲਾਈਨ ਪੜ੍ਹਨ ਲਈ ਇਸ ਪੰਨੇ 'ਤੇ ਕੋਡ ਨੂੰ ਸਕੈਨ ਕਰਨ ਲਈ ਸਮਾਰਟਫੋਨ ਦੇ ਕੈਮਰੇ ਦੀ ਵਰਤੋਂ ਕਰੋ।

অনলাইনে নোটিশ পড়ার জন্য এই পজেরে কোডটি স্ক্যান করাতে স্মার্টফোনের ক্যামেরা ব্যবহার করুন।

सूचना अनलाइनमा पढ्न यस पृष्ठमा कोड स्क्यान गर्न स्मार्टफोनको क्यामेरा प्रयोग गर्नुहोस्।

Sèvi ak kamera yon telefòn entèlijjan pou eskane kòd ki nan paj sa a pou li avi a sou entènèt.

استخدم كاميرا الهاتف الذكي لمسح الرمز الموجود في هذه الصفحة لقراءة الإشعار على الإنترنت

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