

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

FILED

Jan 16 2026

CLERK, U.S. DISTRICT COURT SOUTHERN DISTRICT OF CALIFORNIA BY [Signature] DEPUTY

MOHAMMAD HASSAN YOUSEFI

Petitioner

v.

CHRISTOFER J. LAROSE SENIOR WARDEN, OTAY MESA DETENTION CENTER

Respondent

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

Case No. '26CV0272 RBM VET (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: MOHAMMAD HASSAN YOUSEFI (b) Other names you have used: LIAM YOUSEFI
2. Place of confinement: (a) Name of institution: Otay mesa detention center (b) Address: 7488 calzada de la fuente San diego ,Ca,92154
3. (c) Your identification number: [Redacted] Are you currently being held on orders by: [X] 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: [X] 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: U.S. Immigration and customs enforcement(ICE)

Otay mesa detention center San Diego, CA

(b) Docket number, case number, or opinion number: _____

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

Petitioner is challenging his continued an individualized bond hearing despite the existence of final order of removal and no significant likelihood of removal in the reasonably foreseeable future

(d) Date of the decision or action: 09/03/2025

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: Petitioner did not file appeal because there is no available administrative remedy to challenge prolonged detention without bond hearing and habeas corpus relief the appropriate mechanism to seek relief.

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: Petitioner did not file second appeal because the immigration judge's order was a final order of removal and no further administrative appeal was available. Additionally, respondent was detained, unrepresented, and lacked meaningful access to legal resources

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: Petitioner did not file a third appeal because no further appeal was available following the final order of removal and respondent remains detained without access to adequate legal assistance

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: 09/06/2024
- (b) Date of the removal or reinstatement order: 09/03/2025
- (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: _____

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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: PROLONGED AND EXCESSIVE DETENTION IN VIOLATION OF DUE PROCESS

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

I have been subjected to prolonged and excessive Immigration detention in violation of the due process clause of United States Constitution. Although immigration detention is civil and not intended to be punitive, my detention has far exceeded any reasonable purpose. I have remained detained for months after a final order of removal without receiving an individualized determination that my continued detention is justified. As a result, my detention has become excessive, arbitrary, and unconstitutional.

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

Yes No

GROUND TWO: NO SIGNIFICANT LIKELIHOOD OF REMOVAL IN THE REASONABLY FORESEEABLE FUTURE

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

There is no significant likelihood that I will be removed in the reasonably foreseeable future. My removal has not occurred despite the passage of a substantial period of time following the final order of removal. Practical, logistical, and country related barriers continue to prevent my removal. Where removal is not realistically attainable continued detention loses its civil justification and becomes indefinite and unconstitutional.

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

Yes No

GROUND THREE: I DO NOT POSE A DANGER TO THE COMMUNITY AND CONTINUED DETENTION IS UNJUSTIFIED

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

Please see attached continuation of ground three

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

Yes No

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GROUND FOUR: MY CONTINUED DETENTION IS PUNITIVE, EXCESSIVE, AND NO LONGER SERVES A LEGITIMATE CIVIL IMMIGRATION PURPOSE

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

Please see attached continuation of ground four

(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: I did not previously present these grounds because I was detained, unrepresented, and lacked meaningful access to legal resources .I was unable to adequately understand or raise these constitutional claims earlier
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Request for Relief

15. State exactly what you want the court to do: I respectfully request that the court order my immediate release from immigration detention.as my continued detention is excessive and no longer serves a legitimate civil immigration purpose. In the alternative, I request release under the least restrictive conditions necessary, including supervision and electronic monitoring, to ensure compliance as the court deems appropriate.
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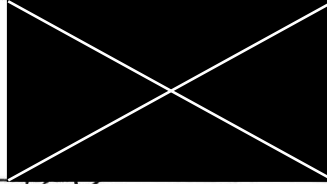
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Declaration Under Penalty Of Perjury

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

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: 1/14/2026

A rectangular area that has been completely redacted with a solid black fill. Two white diagonal lines cross each other in the center of the rectangle, forming an 'X' shape. This indicates that the signature of the petitioner has been obscured.

Signature of Petitioner

Signature of Attorney or other authorized person, if any