

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
JAN 30 2026
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

Hamed Asadimofarah
Petitioner

v.

Christopher J. Larose Senior-Warden

Case No. '26CV0618 RBM BJW
(Supplied by Clerk of Court)

Olay Mesa Detention Center - Patrick Diver - Kristi Neom -
Respondent

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

Todd M. Lyons - Acting Director of U.S. Immigration Customs Enforcement

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

Personal Information

- (a) Your full name: Hamed Asadimofarah
(b) Other names you have used: _____
- Place of confinement:
(a) Name of institution: Olay Mesa Detention Center
(b) Address: [Redacted] San Diego, CA [Redacted]
P.O. Box 439049 92143
(c) Your identification number: [Redacted]
- Are you currently being held on orders by:
 Federal authorities State authorities Other - explain: _____
- 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: Olay Mesa Immigration Court
[Redacted] San Diego, CA [Redacted]
(b) Docket number of criminal case: PO Box 439049 92143
(c) Date of sentencing: _____
 Being held on an immigration charge
 Other (explain): _____

Decision or Action You Are Challenging

- 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)

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

- 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: 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):

Claim against Prolonged mandatory Detention (more than 6 months) without a bond hearing
Unlawfully detained petitioner in order to deprive him liberty interest and to eliminate
his due process rights.

(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: _____

Being detained by ICE while applying for Asylum. limited access to means of
communication party due to access to funds as well as country condition.

8. **Second appeal**

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

Yes No

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

(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

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

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, 24, 2025
- (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: _____

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

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: Petitioner detention violates the RPA (fifth Amendment due process clause Amendment of unreasonable search and seizure) - I was wrongfully given a long processing

time by having being questioned by CAT which has a higher burden of proof and consequently had to wait four month before given my first court hearing (CAT was eventually challenged)

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

and government was found to be in rear for replacing CFI with CAT - by a federal judge. As part of going through CAT - government supposedly would try to send you to a safe third country which to this day has not being able to send a single person. It would just give government (users) more liberty to prolonged the process and thereby deprive you of your due process.

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

Yes No

GROUND TWO: Total length of detention to date - likely duration of future detention. As many immigration judges are being either replaced or going into retirement the likelihood of delays in the processing of my asylum claim are high and this has put strain on my mental health and has resulted in me taking meds.

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

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

Yes No

GROUND THREE: Limited access to means of communication and trying to acquire supporting evidence to a satisfactory degree that would not impede the processing of case. As well as my country of origin being under internet blackout and further putting duress on my mental health.

(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

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

GROUND FOUR:

KFE has not been forthcoming with facts and reasons as to why they have been threatening me with deportation on numerous occasions. Also in the case of any order of removal there is a high likelihood of extended delays as Iran is classed as a very uncooperative country.

(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:

Request for Relief

15. State exactly what you want the court to do:

I am respectfully asking to be released from immigration detention so I can pursue the remaining of my processing time outside. This would afford me means by which I could better my mental health and acquirement of proper help that I would need in my application. I have not been flagged as flight risk and have no security check. In addition, I will be bound by all immigration rules and requirement in good faith and will attend all appointments that I am called upon.

Best Regards

Hamed Asadimosarah

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

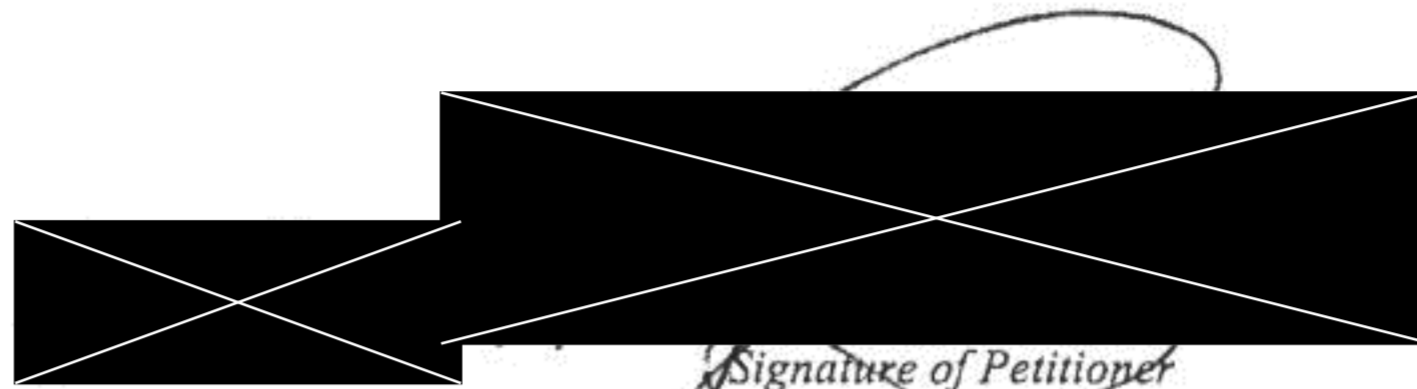
Declaration Under Penalty Of Perjury

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

01/24/2026

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: 01/24/2026

A large black rectangular redaction box covers the signature area. The box is crossed with a large 'X'.

Signature of Petitioner

Signature of Attorney or other authorized person, if any