

1 Ramanujan Nadadur (Cal Bar No. 315718)
2 (Email: Anuj Nadadur@nskumarlaw.com)
3 11620 Wilshire Blvd, Suite 250
4 Los Angeles, California 90025
5 Telephone: (310) 479-1383
6 Facsimile: (310) 479-1393

7 Attorneys for Petitioner
8 Sarabjeet Singh

9 **UNITED STATES DISTRICT COURT**
10 **SOUTHERN DISTRICT OF CALIFORNIA**

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SARABJEET SINGH,

Petitioner,

v.

WARDEN, IMPERIAL REGIONAL
ADULT DETENTION FACILITY,
IMPERIAL ICE PROCESSING; KRISTI
NOEM, Secretary, U.S. Department of
Homeland Security, PAM BONDI,
ATTORNEY GENERAL OF THE
UNITED STATES

Respondents.

Case No. '26CV1308 LL BLM

**PETITION FOR WRIT OF HABEAS
CORPUS**

ORAL ARGUMENTS REQUESTED

1 **I. INTRODUCTION AND FACTUAL BACKGROUND**

- 2 1. Sarabjeet Singh (“Mr. Singh”) is a citizen of India who fears returning to his
3 home country due to political persecution and serious harm. He was targeted and
4 threatened in India due to his political opinion. Local authorities were unwilling
5 or unable to protect him, leaving him with no meaningful state protection. He has
6 a pending asylum claim before the immigration courts, which is currently set to
7 be heard on May 29, 2026. (Ex. 1 at 2, Case Hearing Information.)
- 8 2. On around October 27, 2018, upon his entry into the United States, Customs and
9 Border Patrol (“CBP”), an agency within the Department of Homeland Security
10 (“DHS”), arrested Mr. Singh and placed him in immigration detention. (Ex. 2 at
11 20, I-870 Credible Fear Worksheet.) DHS initially ordered that he remain
12 detained. (Ex. 2 at 34, Notice of Custody Determination.) DHS subsequently
13 released him on a \$10,000 bond on January 22, 2019. (Ex. 2 at 8, Notice of Bond
14 Cancellation.) DHS required him to attend his removal proceedings, which he
15 did. (Ex. 2 at 10, Notification Regarding Change of Address.)
- 16 3. In February of 2026, Mr. Singh was re-arrested and re-detained by DHS,
17 following a stop at a gas station in Indio, CA. He is currently being held at the
18 Imperial Regional Detention Facility, 1572 Gateway Road Calexico, CA, 92231.
19 (See Ex. 1 at 5, ICE Detainee Locator Results.) Prior to his re-detention, he was
20 not provided notice, an opportunity to be heard, or a hearing before a neutral
21 arbiter.
- 22 4. Following his release in 2019, Mr. Singh abided by the conditions of his bond.
23 DHS returned his \$10,000 bond amount following his re-arrest in February of
24 2026 because he did not violate his bond. (Ex. 2 at 8.)
- 25 5. DHS and EOIR are denying bond hearings on jurisdictional grounds to people
26 who entered without inspection, such as Mr. Singh. We are filing this habeas
27 petition in parallel to requesting a bond hearing before EOIR.
- 28 6. To vindicate Mr. Singh’s statutory, constitutional, and regulatory rights, this

1 Court should grant the instant petition for a writ of habeas corpus and order him
2 released from custody forthwith. Alternatively, the Court should order that EOIR
3 provide Mr. Singh with a custody redetermination hearing.

4 **II. JURISDICTION**

5 7. This action arises under the Constitution of the United States and the
6 Immigration and Nationality Act (INA), 8 U.S.C. § 1101 et seq.

7 8. This Court has subject matter jurisdiction under 28 U.S.C. § 2241 (habeas
8 corpus), 28 U.S.C. § 1331 (federal question), and Article I, § 9, cl. 2 of the
9 United States Constitution (Suspension Clause).

10 9. This Court may grant relief under the habeas corpus statutes, 28 U.S.C. § 2241
11 et. seq., the Declaratory Judgment Act, 28 U.S.C. § 2201 et seq., and the All
12 Writs Act, 28 U.S.C. § 1651.

13 **III. VENUE**

14 10. Venue is proper because Petitioner is detained at the Imperial Regional Detention
15 Facility in Calexico, CA, which is within the jurisdiction of this District.

16 11. Venue is proper in this District because Respondents are officers, employees, or
17 agencies of the United States, and Petitioner resides in this District. 28 U.S.C. §
18 1391(e).

19 **IV. REQUIREMENTS OF 28 U.S.C. § 2243**

20 12. The Court must grant the petition for writ of habeas corpus “forthwith,” unless
21 the petitioner is not entitled to relief. 28 U.S.C. § 2243. If an order to show cause
22 is issued, the Court must require respondents to file a return “within three days
23 unless for good cause additional time, not exceeding twenty days, is allowed.”

24 *Id.*

25 13. Courts have long recognized the significance of the habeas statute in protecting
26 individuals from unlawful detention. The Great Writ has been referred to as
27 “perhaps the most important writ known to the constitutional law of England,
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1 Singh be released from custody forthwith or alternatively, that he receive a bond
2 hearing as soon as possible. The Fifth Amendment provides that “[n]o person”
3 shall “be deprived of life, liberty, or property, without due process of law,”
4 including in removal proceedings. *See Reno v. Flores*, 507 U.S. 292, 306 (1993).
5 “Freedom from imprisonment—from government custody, detention, or other
6 forms of physical restraint—lies at the heart of the liberty th[e Due Process]
7 Clause protects.” *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001). Thus, “adequate
8 procedural protections” are required to ensure detention “outweighs the
9 ‘individual’s constitutionally protected interest in avoiding physical restraint.’”
10 *Id* Because Mr. Singh has been detained and not provided with a bond hearing,
11 the government’s actions have deprived him of his statutory rights and his
12 constitutional due process rights.

13 **VI. CLAIMS FOR RELIEF**

14 **COUNT ONE – Violation of the Immigration and Nationality Act**

15 20. The allegations in the above paragraphs are realleged and incorporated herein.

16 21. Petitioner Sarabjeet Singh is entitled to a bond hearing pursuant to 8 U.S.C. §
17 1226(a). The fact that EOIR has declined to exercise its jurisdiction and conduct
18 a custody redetermination hearing violates the Immigration and Nationality Act.

19 **COUNT TWO – Violation of the Fifth Amendment**

20 22. The allegations in the above paragraphs are realleged and incorporated herein.

21 23. The Due Process Clause of the Fifth Amendment forbids the government from
22 depriving any “person” of liberty “without due process of law.” U.S. Const.
23 amend. V.

24 24. The Due Process Clause requires the government to establish, at an
25 individualized hearing before a neutral decisionmaker, that Petitioner’s detention
26 is justified by evidence of flight risk or danger. Petitioner Sarabjeet Singh has
27 been denied such a hearing.

28 25. Following Petitioner’s release from government custody in 2019, the government

1 was also constitutionally required to provide Petitioner with notice and an
2 opportunity to be heard prior to re-detaining him. Petitioner Sarabjeet Singh was
3 not provided with any notice prior to his re-detention in 2026.

4 26. Petitioner's ongoing detention without an individualized bond hearing violates
5 the Due Process Clause.

6 **VII. PRAYER FOR RELIEF**

7 WHEREFORE, Petitioner respectfully prays this Court grant the following relief:

- 8 1) Assume jurisdiction over this matter;
9 2) Declare that Petitioner's ongoing detention without a bond hearing violates 8
10 U.S.C. § 1226(a) and the Due Process Clause of the Fifth Amendment;
11 3) Issue a Writ of Habeas Corpus and order Respondents to immediately release
12 Petitioner from DHS custody under reasonable conditions;
13 4) Alternatively, order that Petitioner be released within 7 days unless Respondents
14 schedule a hearing to take place before a neutral arbiter where to continue
15 detention, the neutral arbiter must evaluate whether Petitioner presents a danger
16 or flight risk, and address why available conditions of supervision cannot
17 mitigate any such risks;
18 5) Award reasonable costs and attorneys' fees under the Equal Access to Justice
19 Act, 28 U.S.C. § 2412, or on any other basis justified under law; and
20 6) Grant such further relief as the Court deems just and proper.

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23 DATED March 2, 2026

Respectfully submitted,

By /s/ Ramanujan Nadadur

Ramanujan Nadadur

Counsel for Petitioner