

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

SINGH SUKHVIR
Petitioner

v.

CHRISTOPHER HAROSE
WARDEN, OTAY MESA DETENTION CENTER
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. '26CV1390 DMS JLB
(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: SINGH SUKHVIR
- (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, CALIFORNIA 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)

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: OTAY MESA IMMIGRATION COURT, 7488 CALZADA DE LA FUENTE, SAN DIEGO, CALIFORNIA 92154.
- (b) Docket number, case number, or opinion number: [REDACTED]
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): UNLAWFUL MODE OF ARREST, VIOLATION OF THE FIFTH AMENDMENT RIGHT TO DUE PROCESS, DENIAL OF BOND; THE IMMIGRATION JUDGE RULED HE HAD NO JURISDICTION.
- (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: N/A

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: N/A

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

- Yes
- No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 02/11/2026
- (b) Date of the removal or reinstatement order: N/A
- (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: VIOLATION OF THE FIFTH AMENDMENT RIGHT TO DUE PROCESS - DENIAL OF CUSTODY HEARING.

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 Do not cite cases or law.):

DURING MY STAY IN DETENTION I REQUESTED FOR A BOND HEARING ON 02/19/2026, WHICH WAS DENIED. HAS THE IMMIGRATION JUDGE RULED HE HAD NO JURISDICTION, I WAS NEVER GIVEN A CUSTODY REDETERMINATION HEARING WHERE THE GOVERNMENT BEARS THE BURDEN OF PROOF THAT MY CONTINUED DETENTION IS NECESSARY.

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

Yes No

GROUND TWO: UNLAWFUL MODE OF ARREST

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 Do not cite cases or law.):

I INITIALLY CROSSED THE MEXICO-US BORDER ON 01/10/2024, I WAS THEN RELEASED ON PAROLE ON 22/10/2024 AFTER HAVING A POSITIVE CREDIBLE FEAR INTERVIEW. I HAVE BEEN RESIDING IN THE UNITED STATES FOR MORE THAN A YEAR WITHOUT GOING AGAINST THE CONDITIONS OF MY PAROLE. I WAS ILLEGALLY ARRESTED WHILE WORKING.

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

Yes No

GROUND THREE: HEALTH PROBLEMS.

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 Do not cite cases or law.):

I HAVE DEVELOPED MENTAL HEALTH PROBLEM INCLUDING STRESS, ANXIETY AND DEPRESSION BECAUSE OF MY STAY IN DETENTION. MY MENTAL HEALTH IS DEPRECIATING EVERY SECOND I SPEND HERE IN DETENTION. I AM IN A GENERAL MALAISE.

(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: N/A

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

N/A

(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: ALL GROUNDS WERE PRESENTED.

Request for Relief

15. State exactly what you want the court to do: I RESPECTFULLY REQUEST THAT THIS HONOURABLE COURT GRANT MY WRIT OF HABEAS CORPUS PETITION, ORDER RESPONDENTS TO IMMEDIATELY RELEASE ME FROM DETENTION OR IN ALTERNATIVE, ORDER RESPONDENTS TO GIVE ME A BOND HEARING BEFORE A NEUTRAL DECISION MAKER.

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:

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: 02-26-2026

A black rectangular box with a white 'X' drawn across it, used to redact the signature of the petitioner.

Signature of Petitioner

Signature of Attorney or other authorized person, if any