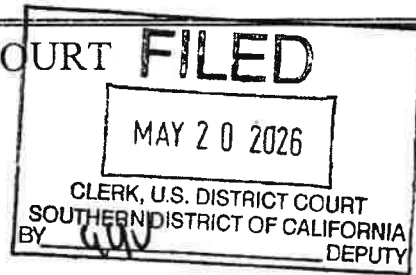


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the



Jorge Eduardo Cristobal Amezcua
Petitioner

v.

Case No. **'26CV1340 CAB DDL**
(Supplied by Clerk of Court)

Warden: Christopher La Rose
Respondent

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

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

Personal Information

1. (a) Your full name: Jorge Eduardo Cristobal Amezcua
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Correction Corp of America
(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 Immigration Court
7488 Calzada De la Fuente San Diego CA 92154
(b) Docket number, case number, or opinion number: [REDACTED]
(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
I have been detained since March 2025, here at Otay Mesa Detention Center,
where I have been denied bail
(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: March 13, 2025

(b) Date of the removal or reinstatement order: April 1, 2026

(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: April 20, 2026
(2) Case number: [REDACTED]
(3) Result: Pending
(4) Date of result: Pending
(5) Issues raised: Please see attachment on the back of this petition

- (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: _____

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: My release on bail has been denied and my time in the Otay Mesa Detention Center is becoming indefinite.

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 Do not cite cases or law.):

I arrived to the Otay Mesa Detention Center on March 13, 2025 and was given a bail hearing 10 months later on January 27, 2026. At the bail hearing the Honorable Judge said he has no jurisdiction over my bail. Since my bail hearing I have remained detained and in an appeal process for my immigration case.

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

☐ Yes

☐ No

GROUND TWO: I have started my immigration case back in 2019. Once I arrived to the Otay Mesa Detention Center, my immigration process has been prolonged due to having to restart my immigration case.

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 Do not cite cases or law.):

The immigration case I started back in 2019 was suspended due to DHS having wrong dates on their end. I got the results in May 2025 and I had to spend three months with no court hearings. On August 2025, I restarted my immigration process. I was then presented with an individual hearing but was denied and I am now in an appeal process.

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

☐ Yes

☐ No

GROUND THREE: Throughout the time I have been in the United States, I was able to submit paperwork for a Visa.

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

I recieved a Notice of Immigrant Visa Case Creation on December 3, 2024 stating my case is prepared for a Visa interview. 3 months later I was detained by ICE and have been proceeding with my appeal with the Board of Immigration.

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

☐ Yes

☐ No

GROUND FOUR: The living conditions in Otay Mesa Detention Center have been unconstitutional with the limited communication, treatment from the staff members, and living conditions.

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

The limited communication comes from the financial restriction from being detained. The forms of communication have a cost and all forms of communications are monitored leaving no privacy. The staff members, guards, say rude comments towards not just me but other detainees. Guards will mistreat us in the dining hall by taking away the food and force us to leave. In the dining hall the food can be found to be served on dirty plates, cups or spoons.

(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: Your Honorable Court, I would like to request to be released from the Otay Mesa Detention Center through an immediate release, parole, supervision or bail as I was denied my release. I request to get assigned a public defender, if possible.

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Declaration Under Penalty Of Perjury

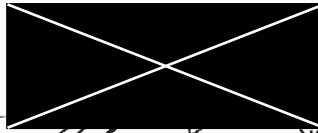
If you are incarcerated, on what date did you place this petition in the prison mail system:

5-13-2026

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:

5-13-2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any