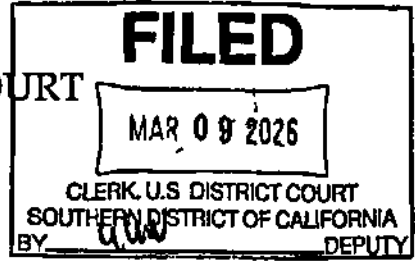


UNITED STATES DISTRICT COURT
for the
Southern District of Illinois




Hassan Mahdavian
Petitioner
(the name under which you were convicted)
v
Christopher J. Larose
Respondent
(authorized person having custody of Petitioner)

Case Number: '26CV1489 RBM MMP

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

Personal Information

1. (a) Your full name: Hassan Mahdavian
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: Otay Mesa Detention Center
(b) Address: 7488 Calzada de la Fuente - San Diego, CA 92154 - P.O.Box 439049
- (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: _____
(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)

- 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: _____

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

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

(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 Due to my imprisonment status and lack of access to financial source, I did not have the financial ability to pay the additional fees to my lawyer to appeal. And also I did not have any knowledege to appeal by my own.

8. Second appeal

After the first appeal, did you file a second 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 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

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: 08/07/25 August 7th, 2025

(b) Date of the removal or reinstatement order: _____

(c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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: _____

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.

GROUND ONE: Arbitrary Detention (Lack of Specific Detention Grounds)

(a) Supporting facts *(Be brief Do not cite cases or law.):*

During these 21 months I attended court Hearings regularly and on time, and at October 7th, 2025, I was arrested by I.C.E agents in front of the door of court house without any convincing reason and I was sent to Otay Mesa Detention Center.

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

Yes No

GROUND TWO: Postponement of Court Hearing

(a) Supporting facts *(Be brief Do not cite cases or law):*

While I am in prison, once my Master Hearing was canceled and postponed to several days later.

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

Yes No

GROUND THREE: Lack of Timely Bond Hearing (Constitutional Right to Bail)

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

Once I applied for a Bond Hearing on December 15th, 2025, but my request was denied by D.H.S and the judge.

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

Yes No

GROUND FOUR: Lack of Flight Risk and Danger to The Community

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

My background check which issued by CAL DOJ, shows that it is clear and very clean, as Attach. I am a very law-abiding person and respecting the law is always a priority for me. Therefore I have posed No Flight Risk and I am Not a Danger to the Community.(Look at the attachment)

(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: Lack of Enough Space for All the Grounds. Look at the Memorandum for completed Grounds!

Request for Relief

15. State exactly what you want the court to do: I kindly ask the court the following request;

1: A writ of Habeas Corpus

2: Due to the specific circumstances in my country, where demonstration, protests and civil war are ongoing and many people have been killed, injured and imprisoned, I have not heard from my family for about 3 months and have not been able to contact them. My parents are over 70 years old (and have age-related illnesses) and I miss them deeply and worry about them.

3: I have the Work Permit and can work, pay taxes and make a small contribution to the America's prosperity. I kindly ask you to order my release so that I can find a way to contact to my family and also give me the opportunity to start my normal life again and make a small contribution to the progress of this country.

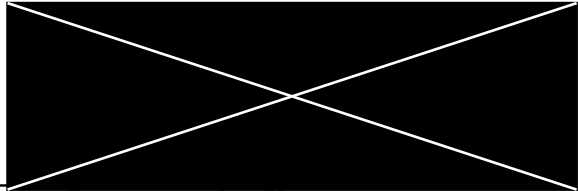
4: I do not want to be detained again.

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: 03.04.2025



Signature of Petitioner

Signature of Attorney or other authorized person, if any

**Memorandum of Law in support
of Petition for a Writ of Habeas
Corpus pursuant to 28 U.S.C § 2241**

I am Hassan Mahdavian from Iran with the . I have a master's degree in Mechanical engineering.

- 1) I entered the US on November 4 ,2023, through the border near Tecate. I lived in San Diego, California for 21 months.
- 2) During these 21 months I attended court Hearings regularly and on time, and at October 7th, 2025, I was arrested by I.C.E agents in front of the door of court house without any convincing reason and I was sent to Otay Mesa Detention Center.
- 3) While I am in prison, once my Master Hearing was canceled and postponed to several days later.
- 4) Once I applied for a Bond Hearing on December 15th,2025, but my request was denied by D.H.S and the judge.
- 5) My background check which issued by CAL DOJ, shows that it is clear and very clean, as Attach. I am a very law-abiding person and respecting the law is always a priority for me. Therefore I have posed No Flight Risk and I am Not a Danger to the Community.
- 6) I should mention that one of the prisoner from my country IRAN (whose name is Farzad Karami) and another prisoner from IRAQ (whose name is Rzgar Qader Khorasheed) who had exactly the same circumstances as me, got released under the Habeas Corpus Petition before their Individual Court was held.
- 7) On January 12th, 2025, my individual court was held, and because I was in prison and could not provide sufficient evidence to the court, the decision of the Honorable Judge was announced, as Withholding of Removal (almost 2 months ago) and now I have been in prison for around 7 months.
- 8) Due to the specific circumstances in my country, where demonstration, protests and civil war are ongoing and many people have been killed, injured and imprisoned, I have not heard from my family for about 3 months and have not been able to contact them. My parents are over 70 years old (and have age-related illnesses) and I miss them deeply and worry about them.
- 9) I have the Work Permit and can work, pay taxes and make a small contribution to the America's prosperity. I kindly ask you to order my release so that I can find a way to contact to my family and also give me the opportunity to start my normal life again and make a small contribution to the progress of this country.

Sincerely yours;

Rob Bonta
Attorney General

State of California
DEPARTMENT OF JUSTICE



Bureau of Criminal Information and Analysis
Authorizations and Certifications Section
P O Box 160207
Sacramento, CA 95816-0207

October 4, 2024

HASSAN MAHDAVIAN
SAN DIEGO, CA 92123

RE: California Criminal History Information

Dear Applicant:

This correspondence is in response to your visa/immigration record request, concerning the existence of a California state summary criminal history record, maintained within the files of the Bureau of Criminal Information and Analysis.

Pursuant to California Penal Code section 11105(c)(9), the purpose of a visa/immigration record request is to provide an individual with a copy of their record if needed in conjunction with an application to enter the United States or any foreign nation.

As of the date of this letter, a search of your fingerprints did not identify with any criminal history record maintained by this Bureau.

If you have any questions concerning this matter, please contact the Authorizations and Certifications Section, Visa/Immigration Unit, at visa-immigration@dof.ca.gov.

Sincerely,

ANTHONY MOLINA, Crime Analyst I
Authorizations and Certifications Section
Bureau of Criminal Information and Analysis

For **Rob Bonta**
Attorney General

