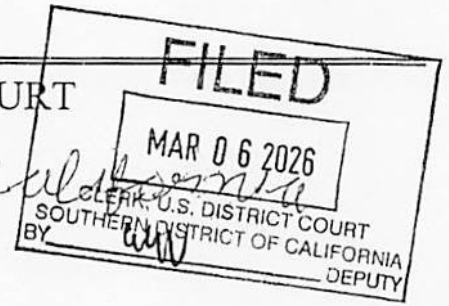


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT  
for the

*Southern District of California*



*VIKAS VIKAS*  
Petitioner

v.

Case No. **'26CV1451 DMS DDL**  
(Supplied by Clerk of Court)

*(Christopher) LaRose*  
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: VIKAS VIKAS  
(b) Other names you have used: NONE
2. Place of confinement:
  - (a) Name of institution: OTAY MESA DETENTION CENTER
  - (b) Address: 7488 CALZADA DE LA FUENTE, SAN DIEGO, CA 92154  
OMDC P.O. BOX 439049, SAN DIEGO, CA 92143
  - (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: UNITED STATES, Immigration and Customs Enforcement
- (b) Docket number, case number, or opinion number: 
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):  
on going and Pro-longed Civil Immigration detentions without release or adequate bond consideration.
- (d) Date of the decision or action: 9 APRIL 2025

**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: I am detained lacks legal counsel and ICE detainee does not provide meaningful or timely remedy for pro-longed detention or Medical concerns.

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: 9 APRIL 2025
- (b) Date of the removal or reinstatement order: NOT ISSUED
- (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: \_\_\_\_\_
- (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: \_\_\_\_\_

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Grounds for Your Challenge in This Petition

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: Unlawfull Pro-Longed Immigration detention without adequate Justification.

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 Do not cite cases or law.):

- (i) I Have been detained since 9 APRIL 2025
- (ii) Detention is civil, not criminal.
- (iii) continued detentioned without release or meaningfull bond hearing violates DUE PROSESS.
- (iv) MY duration in detention has become Punitive instead of administrative Proceeding.

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

Yes  No

GROUND TWO: Serious Medical conditions not compatible with Pro-Longed detentions.

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 Do not cite cases or law.):

- (i) Medical testing Inside detentions Confirmed HEPATITIS A,B,C POSITIVE and possible risk of STD.
- (ii) continued detention worsens health risk and dangerous for me.
- (iii) Detention environment is unsuitable for proper-long term Medical care.
- (iv) These conditions require Proper monitoring and a supervision.

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

Yes  No

GROUND THREE: Strong family ties with United States:

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

- (i) I am coming United States on 26 APRIL 2023
- (ii) I have a work Permit and SSC and bank account.
- (iii) I am legally married to a United States citizen CASHLEY NICOLE-CLOWERS.
- (iv) I am member of Christian Cucumanga Fellowship (CCF) Church.

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

Yes  No

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GROUND FOUR: I am not a danger or flight risk.

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

- (i) Strong United States citizen wife support.
- (ii) Will comply with all court and Immigration requirement after release.
- (iii) I inside the facility consistently attended NAADAA meetings for committed to maintaining my good sobriety in the community.
- (iv) While here, I have done a lot of study Program and got certificates.

(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: I lacks legal counsel, is detained and ICE detention does not provide timely or meaningful remedies or pro-longed detention or medical based release.

#### Request for Relief

15. State exactly what you want the court to do: I requestfully request that The court:-
- (i) Grant this petition for writ of Habeas corpus.
  - (ii) Order immediate release.
  - (iii) Order a (CPro-MPT) bond hearing before an Immigration Judge.
  - (iv) Grant any other relief the court deems just and proper.

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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:

09-26-2026

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: 09-26-2026



*Signature of Petitioner*

*Signature of Attorney or other authorized person, if any*