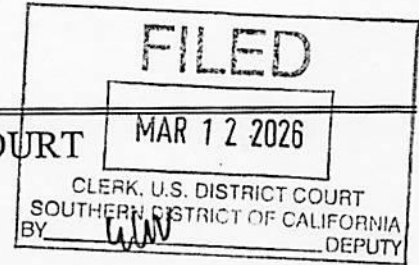


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the
Southern District of California



GROSSO, ALVARO MATIAS

Petitioner

v.

Warden Otay Mesa Detention Center
CHRISTOPHER LAS ROSE

Respondent

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

Case No. '26CV1575 BAS BLM
(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: Grosso, Alvaro Matias
(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

- (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
P.O BOX 439049 - San Diego - CA - 92143

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
I am challenging my prolonged detention in custody

(d) Date of the decision or action: 07/11/2025

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: U.S. Department of Justice
Executive office for Immigration - Board of Immigration Appeals

(2) Date of filing: 02/14/2026

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

(4) Result: Currently

(5) Date of result: _____

(6) Issues raised: _____

Appeal for Refuse Bond (Habeas Corpus - Federal Court)

(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: _____

There is not administrative appeal to challenge immigration detention

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: same above

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

- 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: Lack of due process, by the violation of the 5th Amendment under zadvydes v davis

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 Do not cite cases or law.):*

I have been detained detention without bond, since the last July 11th, 2025, for over 9 months.

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

Yes No

GROUND TWO: Arbitrary detention without an arrest violating due process under Fifth Amendment

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 Do not cite cases or law.):*

I was detained on the street without a warrant against me.

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

Yes No

GROUND THREE: Detained illegally under the INA (Immigration National Act) due my particular situation is not mandatory to be detainee.

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

I have never been detained at any time in my whole life therefore i m not a criminal and due this particular situation my detention is not mandatory.

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

Yes No

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GROUND FOUR: unconstitutional conditions of detention, violation of the 8th Amendment.

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

Since childhood i was diagnosed with attention deficit, hyperactivity disorder (ADHD) and since my arrest my anxiety attacks, panic attack and suicidal thoughts have drastically worsened

(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 Honor: I respectfully request

1) to be represented by a legal counsel (lawyer) , I lack the resource to pay one.

2)Based on the analysis of my petition to obtain immediate release or bail court with instructions such as

A) It cannot be denied or appealed B) It will not be and amount greater than \$ 5.000 C) It will be executed immediately.

3) Once released that i not be detainee again for the same reasons because they are violation of the law.

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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:

A MARCH 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: 9 MARCH 2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any