


Testaslasie Haben

NAME

A# 

PRISON NUMBER

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

1572 Gateway Road Calexico CA 92231

ADDRESS

FILED
MAR 27 2026
CLERK U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY

**United States District Court
Southern District Of California**

Haben Mebratu Testaslasie

(FULL NAME OF PETITIONER)

Petitioner

v.

Warden Jeremy Casey

(NAME OF WARDEN, SUPERINTENDENT, JAILOR, OR AUTHORIZED PERSON HAVING CUSTODY OF PETITIONER, E.G. PAROLE OFFICER)

Respondent

and

The Attorney General of the State of California, Additional Respondent.

Civil No. 26CV1983 JES SBC
(TO BE FILLED IN BY CLERK OF U.S. DISTRICT COURT)

PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2241

1. 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 or case number (if you know): _____

(c) Date of sentencing: _____

Being held on immigration charge

Other (explain): _____

2. Are you currently being held on orders by:
 Federal authorities State authorities Other - explain:

DHS

3. What are you challenging in this petition:
 How your sentence is being carried out, calculated, or credited by prison or parole authorities
 Pretrial detention
 Immigration detention
 Detainer
 The validity of your conviction or sentence as imposed
 Disciplinary proceedings
 Other (specify): _____

4. Provide more information about the decision or action you are challenging:

(a) Name and location of the court or agency: Immigration Court in Imperial 2409 Brugherie Road Imperial CA 92255

(b) Case number, docket number or opinion number (if you know): A# ~~XXXXXXXXXX~~

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

(d) Date of the decision or action: 5/20/2025

5. Did you appeal the decision, file a grievance or seek an administrative remedy?

Yes No

(a) If your answer to 5 was "Yes," give the following information:

(1) Name of court, agency or authority: _____

(2) Date of filing: _____

(3) Case number, docket number or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If your answer to 5 was "No," explain why you did not appeal: _____

6. After the first appeal, did you file a **second** appeal to a higher authority, court or agency?

Yes No

(a) If your answer to 6 was "Yes," give the following information:

- (1) Name of court, agency or authority: _____
- (2) Date of filing: _____
- (3) Case number, docket number or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) If your answer to 6 was "No," explain why you did not appeal: _____

7. After the second appeal, did you file a **third** appeal to a higher authority, agency or court?

Yes No

(a) If your answer to 7 was "Yes," give the following information:

- (1) Name of court, agency or authority: _____
- (2) Date of filing: _____
- (3) Case number, docket number or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) If your answer to 7 was "No," explain why you did not appeal: I did not file for a bond hearing

8. State *concisely* every ground on which you claim that you are being held in violation of the constitution, law or treaties of the United States. Summarize *briefly* the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting same.

CAUTION: In order to proceed in the federal court, you must ordinarily first exhaust your available court remedies as to each ground on which you request action by the federal court. Moreover, if you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.

You should *raise in this petition all available grounds* on which you base your allegations that you are being held in custody unlawfully.

GROUND ONE: There is no significant likelihood of my release from detention in the near future.

(a) Supporting FACTS (state *briefly* without citing cases or law) After over nine months and several court proceedings the Immigration Judge ordered removal to third country Uganda on 2/9/2026. I am currently awaiting a decision even after an adverse decision I can appeal to the Ninth circuit which could stretch to a year or more than I have never been called or spoken to concerning my release from detention since I was taken into custody.

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

Yes No

GROUND TWO: Violation of the Due process clause of the Fifth Amendment to the Constitution.

(a) Supporting FACTS (state briefly without citing cases or law): I petitioners re-allege and incorporate by reference the paragraphs above. The due process clause of the Fifth Amendment forbids the government from depriving any individual of their to be free from unjustified deprivation of liberty U.S constitution Amendment. Due process does not permit the government to strip petitioner of liberty without it being tethered to one of the two constitutional bases for civil immigration detention to mitigate against the risk of flight or to protect the community for danger. Civil detention that is unrelated to a valid regulatory purpose or excessive in relation to that purpose is punitive in violation of substantive.

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

Yes No

GROUND THREE: I have being detained for over six-months
Courts in the Ninth circuits have recognized
the six-month bright line rule

(a) Supporting FACTS (state briefly without citing cases or law): I have been
currently detained for over nine months with
out any bond hearing (I stay five months with out
any courts). Courts in this circuit have recognized
a six-months presum pitively reasonable period
of detention after where the alien is eligible
for conditional release if he can demonstrate
that there is no significant likelihood of removal
in the reasonable foreseeable future. After entered
into the country and keeping me in detention.

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

Yes No

GROUND FOUR: The conditions of confinement.

(a) Supporting FACTS (state briefly without citing cases or law): The condition of my confinement has been affecting me mentally, emotionally, psychologically and health-wise most times. I am deeply depressed as I have difficulties communicating to my family and loved ones. I have not seen my son that lives in United States and was born in United States. My wife that lives in United States. I miss them so much. I am emotionally and mentally not right at this time. I am suffering from a very stressful environment and as a result am unable to sleep. I have gastric pain which causes me great pain after any time I eat food and sever right knee problem that give me difficulties to move around and this pain is making my detention time more hard.

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

Yes No

9. If any of the grounds listed in 4A, B, C, and D were not previously presented in any other court, state or federal, state briefly what grounds were not presented, and give your reasons for not presenting them:

10. Do you have any petition or appeal now pending in any court, either state or federal, as to the execution of sentence under attack?

Yes No

11. Give the name and address, if known, of each attorney who represented you in the following stages of the execution of sentence attacked herein:

(a) In any post-conviction proceeding N/A

(b) On appeal from any adverse ruling in a post-conviction proceeding _____

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding.

SIGNATURE OF ATTORNEY (IF ANY)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

3/16/2026
(DATE)


SIGNATURE OF PETITIONER

INSTRUCTIONS FOR FILING
PETITION UNDER 28 U.S.C. § 2241 FOR WRIT OF HABEAS CORPUS
IN THE UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

- (1) This petition must be legibly handwritten or typewritten. You must tell the truth in the petition and you must sign the petition under penalty of perjury. If you do not tell the truth in this petition, you may be prosecuted for and convicted of perjury.
- (2) Answer all the questions on the form as concisely as you can. You do not need to cite cases. Include the facts supporting your ground for relief. If briefs or arguments are submitted, they should be submitted as a separate memorandum.
- (3) You must pay a **\$5.00 filing fee** to have your petition filed. The \$5.00 fee must be submitted with the petition, not separately. If you do not have the \$5.00 for the filing fee and any other costs, you may request permission to proceed in forma pauperis. To do so, fill out and submit the "Motion to Proceed in Forma Pauperis" form provided by the Court with your petition. You also **MUST** have an authorized officer at the penal institution complete the "Prison Certificate" statements stating the amount of money and securities on deposit to your credit in any account in the institution.
- (4) You may only challenge a judgment entered by one court in a single petition. If you want to challenge judgments entered by different courts either in the same state or in different states, you must file separate petitions as to each court.
- (5) You must include all grounds for relief and all facts supporting such grounds for relief in the petition you file seeking relief from any judgment of conviction.
- (6) When the petition is fully completed, the original and at least one copy must be mailed to:

Clerk of U.S. District Court
Southern District of California
333 W. Broadway, Suite 420
San Diego CA 92101

- (7) Petitions that do not conform to these instructions will be returned with a notation as to the deficiency.