

UNITED STATES DISTRICT COURT

for the Southern District of Illinois

ZHANG, YAOBIN
Petitioner
(the name under which you were convicted)
v.
Christopher J. LaRose, DHS, PAMELA BONDI
Respondent
(authorized person having custody of Petitioner)

Case Number: 26 cv 2068 - DMS - DDL

Amended

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

Personal Information

- 1. (a) Your full name: ZHANG, YAOBIN
(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:
[X] 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: OTAY MESA IMMIGRATION COURT,  
7488 CALZADA DE LA FUENTE, SAN DIEGO, CA 92154

(b) Docket number, case number, or opinion number: \_\_\_\_\_

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

MY bond requested was denied by immigration Judge and Judge stated that I am in under expedited removal under INA 235(b)(1) and was then transferred to removal proceeding following credible fear proceeding.  
Court lacks jurisdiction over bond redetermination.

(d) Date of the decision or action: 03/04/2025

**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 I was adviced by my attorney that decision will not change if i put appeal on court decision because court stated that Lack of jurisdiction and decision will be remain same in BIA.

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: N/A

\_\_\_\_\_  
\_\_\_\_\_

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: N/A

\_\_\_\_\_  
\_\_\_\_\_

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: 12/13/2024

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

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

Yes  No

If "Yes," provide:

(1) Date of filing: 03/16/2026

(2) Case number: \_\_\_\_\_

(3) Result: Decision is still pending in BIA and it may take time like 1 year or more.

(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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\_\_\_\_\_  
\_\_\_\_\_  
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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.

**GROUND ONE:** PROLONG DETENTION IS VIOLATION OF FIFTH AMENDMENT RIGHT TO DUE PROCESS  
PROLONGED DETENTION WITHOUT A BOND HEARING

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 Do not cite cases or law.):

I have been detained by immigration authorities since 12/13/2024. I am 16 months in detention. My prolong detention is violation of 5th and 8th amendments of law. Unlawful prolonged immigration detention without a legally valid bond determination. I have been detained by immigration authorities approximately 16 months without being given a custody redetermination hearing. Due to my immigration status as an "Arriving alien" my request for a custody redetermination hearing was denied. Honorable immigration judge stated he had no jurisdiction. Therefore, my continued detention violates the fifth Amendment Due Process clause and 8th amendments of law. More than 6 months detention becomes unlawful without any remedy.

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

Yes  No

**GROUND TWO:** Unlawful Detention because removal is not reasonably foreseeable.

Detention superceding the laws and right to due process.

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

I am not removable in the reasonably foreseeable because I have no final order of removal from this country. I believe that my prolong detention without any remedy like (parole, supervision) and individual bond hearing superceding the laws. I attended my all court proceedings and submitted all evidence in support of my case but I got merit hearing on 02/20/2026. It delayed my case already. On trial court date immigration judge (IJ) denied my case for asylum, with holding of removal and CAT and gave order of removal but those order of removal is not final yet because I put an appeal in Board of Immigration Appeals(BIA) and its decision is still pending and may be it will take more than 1 year. I am not removable to any country and my detention is no for immigration purposes. After BIA may be I shall put my case in 9th circuit. So my detention will be indefinite.

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

Yes  No

**GROUND THREE:** Health Problems

I got sever health problems during detention

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

I have sever health problems because of my long stay in detention. I have psychological problems. I am currently on medicine. I have also taking therapy session for panic attack, stress, anxiety and depression. I can't sleep whole night because of my issues. My mental and physical health is slowly depreciating every single day I spend in detention center. I have sever itching and dental problem here and I am taking medication but its not effecting on my body. They gave me only painkiller and sleeping pills. I am 56 years old and detention is effecting a lot on my body. I can't bear more detention. I have no good and vitamins to stay healthy. I asked to medical for vitamins they said you have to buy it from commissary but I don't have much money to buy these vitamins. I am working as porter 3 times a day and 7 days in week just to secure \$5 in order buy food items,...

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

Yes  No

**GROUND FOUR:** Family Problems

I request to release me on PAROLE on humanitrian bases

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

I have 3 dependents in my home country. They are also suffering just because of me. I have 2 kids one is only 6 years old and those are living very miserable life. They are also in tension due to me. they are waiting for me when I will be released from this detention and something for them. I am single source of income for them and I don't know what's going on with them because I am in detention for 16 month and no contact with them. Last I called my family on Oct 2025 and my wife told me that police still looking for and made their life tough. I can't talk with them anymore. I have very limited resources here I can't talk with attorney freely. I am controlled mentally and physical by officers. I am much worry about my family they are suffering because of me.

(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: All grounds were presented to immigration court in my motion of "Request a custody re-determin hearing.

**Request for Relief**

15. State exactly what you want the court to do: I just request to honorable Judge to Please release me immediately from this unlawful custody or minimum individualized bound hearing before an netural, fair and open minded Immigration judge who can redetermins my custody on netural grounds. I am not danger to community or any flight risks. I have strong ties in USA and I shall serve this country.

**Declaration Under Penalty Of Perjury**

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

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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: 04/02/2026


A black rectangular box with a white 'X' inside, used to redact the signature of the petitioner.

*Signature of Petitioner*

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

Dear judge:

My name is ZHANG YAOBIN,  I have sent out my HABEAS CORPUS documents on 03/27/2026 but few of them files are not signed,so i kindly request withdraw that application and resubmit the new one as attached.Sorry for the inconvenience caused, meanwhile i would like to request the legal assistance from court because i cant find a attorney for myself, thank you so much.

date: 04-02-2026

