

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Case No. _____

CECILIA ALEJANDRA JACO CASTILLO



Petitioner,

v.

CHRISTOPHER J. LAROSE, Senior Warden,
Otay Mesa Detention Center;
TODD M. LYONS, Senior Official Performing
the Duties of the Director of U.S. Immigration
and Customs Enforcement;
MARKWAYNE MULLIN, Secretary of Homeland Security;
PAMELA BONDI, Attorney General of the United States,

Respondents.

FILED
APR 21 2026
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY *[Signature]* DEPUTY

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

**EMERGENCY CHALLENGE
TO IMMIGRATION
DETENTION, PUNITIVE
CONDITIONS OF
CONFINEMENT, LACK OF
INDIVIDUALIZED PROCESS,
AND THREATENED
REMOVAL / TRANSFER**

JURY TRIAL DEMANDED: No

EMERGENCY VERIFIED HABEAS PETITION

Petitioner Cecilia Alejandra Jaco Castillo respectfully petitions this Court for a writ of habeas corpus under 28 U.S.C. § 2241, the Due Process Clause of the Fifth Amendment, and the Court's traditional equitable powers. She is a civil immigration detainee, not a sentenced criminal prisoner. Yet she alleges confinement that has become punitive, coercive, degrading, medically unsafe, and constitutionally intolerable.



Petitioner states that she complied with ICE supervision from the time she entered the United States, remained available at her home for a scheduled visit on February 5, 2026, and then voluntarily appeared for her regular ICE appointment on February 18, 2026. Rather than acknowledge her compliance, ICE detained her based on a false monitoring allegation that she had been at a laundromat on February 5, even though she alleges she stayed home all day waiting for officers and had laundry facilities at home.

Petitioner further alleges that she was arrested without a judicial warrant, without probable cause, and without any meaningful opportunity to challenge the factual basis for detention before her liberty was taken. She was then transferred first to Maryland and later, on March 10, 2026, to California, while suffering harsh conditions of confinement, denial of medical attention, humiliating abuse, threats of retaliation, fear of removal, and serious mental deterioration.

Because the core harm is unlawful present custody, habeas corpus is the proper and necessary remedy. Petitioner seeks immediate release, or in the alternative a constitutionally adequate bond hearing and immediate protective relief barring transfer, removal, or third-country expulsion while this Court adjudicates the legality of her detention.

Petitioner Cecilia Alejandra Jaco Castillo

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A-Number	
Date of Birth	
Nationality	Honduran
Date of Entry	December 20, 2023
Date of ICE Detention	February 18, 2026
Current Facility	Otay Mesa Detention Center, 7488 Calzada de la Fuente, San Diego, CA 92154
District / Division	Southern District of California – San Diego Division

I. NATURE OF THE ACTION

This is an emergency habeas action challenging the fact, duration, manner, and constitutionality of Petitioner's present immigration detention.

Petitioner challenges detention allegedly triggered by an erroneous or fabricated monitoring inference rather than a fair factual investigation. She alleges that ICE later claimed she had not been at home on February 5, 2026 because a system supposedly showed her at a laundromat. Petitioner specifically denies that claim. She states that she remained home all day waiting for the home visit, that officers never came, and that she had no reason to use any laundromat because she had laundry facilities at home.

Petitioner's conduct after that date confirms compliance rather than evasion: she appeared voluntarily for her regular ICE appointment on February 18, 2026. At that appointment, she was unexpectedly detained based on the alleged February 5 violation. A person who remains available for inspection and then reports voluntarily to ICE is not behaving like a flight risk.

After arrest, Petitioner was first moved to a detention facility in Baltimore, Maryland. During that period she alleges that she slept on the floor in cold conditions with only a tarp, was given grossly inadequate food and water, was forced to eat spoiled food, and was denied medical care when sick. On March 10, 2026, she was transferred to California, where she remains detained.

Petitioner further alleges verbal abuse, discriminatory humiliation, coercive labor demands, and threats that officers would worsen her situation, stain her record, transfer her to a worse facility, or remove her. The cumulative effect has been severe anxiety, depression, fear, and physical decline.

II. JURISDICTION AND VENUE

This Court has jurisdiction under 28 U.S.C. § 2241 because Petitioner is in custody under federal immigration authority and challenges the legality and constitutionality of that custody.

This Court also has federal-question and equitable authority under 28 U.S.C. §§ 1331 and 1651 to issue relief necessary to preserve the Court's jurisdiction and prevent irreparable harm.

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Venue is proper in the Southern District of California because Petitioner is currently confined at Otay Mesa Detention Center in San Diego, California, within this judicial district, and the immediate custodian is located here.

This Court may issue effective relief directed both to the immediate custodian and to the federal supervisory officials responsible for transfer, detention policy, and threatened removal.

III. PARTIES

Petitioner Cecilia Alejandra Jaco Castillo is a Honduran national born on [REDACTED] She entered the United States on or about December 20, 2023. She is currently detained at Otay Mesa Detention Center. This petition is submitted in her name and signed pro se.

Because Petitioner reports fear of retaliation and significant emotional distress, family members have helped relay facts and concerns relating to her confinement. That assistance does not alter the status of this filing as Petitioner's own habeas petition.

Respondent Christopher J. LaRose is the Senior Warden of Otay Mesa Detention Center and Petitioner's immediate custodian.

Respondent Todd M. Lyons is the Senior Official Performing the Duties of the Director of U.S. Immigration and Customs Enforcement.

Respondent Markwayne Mullin is the Secretary of Homeland Security.

Respondent Pamela Bondi is the Attorney General of the United States.

IV. FACTUAL ALLEGATIONS

1. Since entering the United States, Petitioner remained under ICE supervision and complied with phone-based monitoring requirements.
2. ICE scheduled a home visit for February 5, 2026. Petitioner states that she remained home throughout the day waiting for officers, but no officers came.
3. ICE later claimed that a monitoring system reflected Petitioner at a laundromat on that date. Petitioner alleges that assertion was false and unsupported.
4. Petitioner explains that she had laundry facilities at home and therefore had no reason to leave for a laundromat.
5. On February 18, 2026, Petitioner voluntarily appeared for her regular ICE appointment, demonstrating continued compliance with supervision.
6. At that appointment, ICE detained her based on the alleged February 5 violation.
7. Petitioner alleges she was taken into custody without a judicial warrant, without probable cause, and without any meaningful chance to rebut the accusation before detention.
8. Petitioner was initially transferred to detention in Baltimore, Maryland.
9. During that period, she alleges she was forced to sleep on the cold floor and covered herself only with a tarp or similar minimal material.
10. She alleges extreme rationing of food and water, including periods when she effectively received only bread and water once per day.
11. She also alleges that she was repeatedly given spoiled or decomposed food.
12. Petitioner alleges unsanitary conditions and poor hygiene throughout detention, causing sickness and infections.

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13. When Petitioner felt ill or required treatment, she alleges that medical care was denied or meaningfully withheld.
14. Petitioner alleges verbal abuse by officers and abuse of authority during detention.
15. She alleges that officials forced or pressured her to perform tasks that did not properly belong to her and humiliated her in the process.
16. Petitioner alleges that officers threatened to transfer her to a worse facility and damage her record simply because she was 'Hispanic.'
17. Petitioner further alleges fear of deportation, third-country removal, or transfer designed to worsen her situation.
18. On March 10, 2026, she was transferred to California and remains confined at Otay Mesa Detention Center.
19. The cumulative effect of detention has been grave psychological harm, including anxiety crises, depression, and severe emotional stress.
20. Petitioner states that she has no serious criminal record and does not present a danger to the community.
21. Petitioner further states that she has meaningful ties in the United States and is not a flight risk.
22. Bond was requested and denied. Petitioner contends that denial was unjust and failed to reflect her compliance history, low risk, and the extreme harms of detention.
23. Petitioner's sister and family remain deeply concerned for her safety and fear retaliation if Petitioner complains about the conditions she has endured.

V. GOVERNING LEGAL PRINCIPLES

Immigration detention is civil, not punitive. The Government may not use civil detention as a disguised form of punishment. See *Bell v. Wolfish*, 441 U.S. 520 (1979); *Zadvydas v. Davis*, 533 U.S. 678 (2001); *Demore v. Kim*, 538 U.S. 510 (2003).

Habeas corpus remains the traditional remedy to challenge present executive detention. See *INS v. St. Cyr*, 533 U.S. 289 (2001); *Boumediene v. Bush*, 553 U.S. 723 (2008).

Civil detainees are entitled to constitutionally adequate food, water, shelter, sanitation, medical care, and protection from abuse. Conditions that amount to punishment or deliberate indifference violate due process. See *Bell*, 441 U.S. at 535-39; *Estelle v. Gamble*, 429 U.S. 97 (1976); *Farmer v. Brennan*, 511 U.S. 825 (1994); *Kingsley v. Hendrickson*, 576 U.S. 389 (2015).

Meaningful process is required before liberty can be taken or prolonged on unreliable, unexplained, or conclusory grounds. *Mathews v. Eldridge*, 424 U.S. 319 (1976), underscores the weight of private liberty interests and the need for procedures that reduce the risk of erroneous deprivation.

When removal or transfer would frustrate judicial review, federal courts may preserve the status quo through equitable relief, including anti-transfer and anti-removal directives.

CLAIM ONE – UNLAWFUL DETENTION BASED ON UNRELIABLE OR FALSE FACTUAL PREMISES

Petitioner realleges all prior paragraphs. Her detention is unlawful because it was imposed despite voluntary compliance with ICE supervision and appears to rest on a disputed, unverified, and implausible monitoring allegation.

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A system-generated accusation that Petitioner was elsewhere on February 5 cannot justify continued civil detention where she specifically alleges that she remained home all day, where no home visit actually occurred, and where her subsequent voluntary appearance at ICE undermines any claim of evasion.

Civil detention must be rationally related to legitimate regulatory goals. Detaining a compliant noncitizen on the basis of unsupported suspicion, bureaucratic error, or factual pretext is arbitrary and incompatible with due process.

The Constitution does not permit executive detention by technological assertion alone, especially when the detainee provides a concrete and facially plausible factual rebuttal and where the surrounding circumstances strongly indicate compliance rather than flight.

CLAIM TWO – CIVIL DETENTION HAS BECOME PUNITIVE AND THEREFORE UNCONSTITUTIONAL

Petitioner alleges conditions of confinement so severe that they cannot be justified as ordinary incidents of civil detention. Sleeping on a cold floor with only a tarp, receiving grossly inadequate food and water, being forced to consume spoiled food, and enduring degrading conditions are punitive by nature and effect.

Because immigration detention is civil, the Government bears a constitutional obligation to avoid conditions that are excessive in relation to any legitimate administrative objective. The allegations here describe deprivation, degradation, and coercion far beyond any permissible regulatory purpose.

When civil detention becomes punishment in practice, habeas relief is proper because the custody is being carried out in a constitutionally impermissible manner.

CLAIM THREE – DENIAL OF ADEQUATE MEDICAL AND MENTAL-HEALTH CARE

Petitioner alleges that when she felt ill or required treatment, officials denied or withheld meaningful care. She further alleges serious anxiety, depressive episodes, and acute emotional distress caused by confinement and threats.

The duty to provide constitutionally adequate care extends to both physical and mental health. A detainee may not be left to deteriorate physically or psychologically while under total governmental control.

Given the alleged deprivation, fear, humiliation, and instability, the denial of treatment is especially grave and independently supports habeas and equitable relief.

CLAIM FOUR – DISCRIMINATORY HUMILIATION, RETALIATION, AND ABUSE OF POWER

Petitioner alleges that officers humiliated her, invoked her ethnicity in a degrading manner, threatened to make her situation worse, and warned that they would stain her record or transfer her to a worse place. Such conduct is incompatible with equal treatment and due process.

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Retaliatory threats chill the exercise of basic rights, including the right to complain, seek legal assistance, and petition a court for relief. They also cast doubt on the integrity of continued detention decisions and underscore the need for judicial protection.

A detention environment ruled by ethnic humiliation and intimidation is not a lawful civil regime; it is arbitrary executive coercion.

CLAIM FIVE – INADEQUATE INDIVIDUALIZED PROCESS AND UNJUST BOND DENIAL

Petitioner alleges that bond was denied despite facts showing compliance, minimal danger, and meaningful ties. Due process requires an individualized assessment, not detention by default.

A bond determination that fails to meaningfully weigh voluntary reporting, absence of serious criminal history, disputed factual allegations, and the extraordinary harms of confinement cannot satisfy constitutional standards.

If the Court does not order immediate release, it should order a prompt bond hearing before a neutral adjudicator with authority to release Petitioner and with the burden placed on the Government.

CLAIM SIX – TRANSFER, REMOVAL, OR THIRD-COUNTRY EXPULSION WOULD IRREPARABLY HARM PETITIONER AND UNDERMINE THIS COURT'S JURISDICTION

Petitioner credibly fears that officials may transfer or remove her in retaliation or to frustrate judicial review. That fear is grounded in alleged threats and in the fact that she has already been moved across the country during detention.

Transfer away from this District would burden access to the Court, counsel, evidence, medical continuity, and family support. Removal from the United States—or expulsion to a third country without judicial oversight—could destroy the practical value of habeas review altogether.

The Court should therefore preserve the status quo by prohibiting transfer outside this District, removal from the United States, or removal to any third country absent prior order of the Court.

VI. WHY IMMEDIATE JUDICIAL INTERVENTION IS WARRANTED

The injuries alleged here are immediate and irreparable. Each additional day of detention allegedly exposes Petitioner to psychological collapse, untreated illness, degrading treatment, and the threat of retaliatory transfer or removal.

Money damages cannot repair the loss of liberty, the physical suffering associated with unsafe confinement, or the mental trauma produced by fear and humiliation under color of federal authority.

This case therefore presents precisely the sort of situation in which habeas corpus and equitable relief must operate swiftly to prevent ongoing constitutional injury.

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VII. REQUEST FOR ORDER TO SHOW CAUSE AND EVIDENTIARY PRESERVATION

Petitioner requests an immediate Order to Show Cause requiring Respondents to justify her continued detention and to provide all custody, supervision, medical, and transfer records relevant to this matter.

Petitioner also requests preservation of all monitoring logs, geolocation records, officer notes, visit records, transport records, housing logs, medical request slips, grievance records, meal records, surveillance footage, and communications concerning the February 5, 2026 allegation, subsequent detention, bond denial, and all transfers.

VIII. PRAYER FOR RELIEF

- Issue the writ and order Respondents to justify Petitioner's present detention;
- Order Petitioner's immediate release from custody because the detention is unlawful and constitutionally intolerable;
- Alternatively, order a prompt, individualized bond hearing before a neutral adjudicator with the burden on the Government and with full consideration of less restrictive alternatives;
- Enter immediate protective relief barring transfer outside this District without prior Court approval;
- Enter immediate protective relief barring removal from the United States during the pendency of this action;
- Specifically prohibit removal to any third country absent prior notice and express order of this Court;
- Order Respondents to provide immediate access to adequate medical and mental-health care;
- Order preservation and production of records necessary to adjudicate the legality and conditions of detention;
- Award such further relief as this Court deems just, equitable, and necessary to protect Petitioner's liberty, health, safety, and access to judicial review.

IX. SELECTED AUTHORITIES


- Boumediene v. Bush, 553 U.S. 723 (2008)
- INS v. St. Cyr, 533 U.S. 289 (2001)
- Zadvydas v. Davis, 533 U.S. 678 (2001)
- Demore v. Kim, 538 U.S. 510 (2003)
- Bell v. Wolfish, 441 U.S. 520 (1979)
- Mathews v. Eldridge, 424 U.S. 319 (1976)
- Estelle v. Gamble, 429 U.S. 97 (1976)
- Farmer v. Brennan, 511 U.S. 825 (1994)
- Kingsley v. Hendrickson, 576 U.S. 389 (2015)
- Reno v. Flores, 507 U.S. 292 (1993)


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X. VERIFICATION

I, Cecilia Alejandra Jaco Castillo, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that I am the Petitioner in this action, that I have read the foregoing Petition for Writ of Habeas Corpus, and that the facts stated in it are true and correct to the best of my knowledge, information, and belief.

Executed on 4/17/26, 2026, at Otay Mesa Detention Center, San Diego, California.


Cecilia Alejandra Jaco Castillo
Pro Se Petitioner


Otay Mesa Detention Center
7488 Calzada de la Fuente
San Diego, CA 92154