

UNITED STATES DISTRICT COURT
for the
Southern District of California

Fatemeh Shokraeian
Petitioner

Warden, Otay Mesa Detention Center, Field Office Direction, ICE San Diego
Respondent

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

Case No. '26CV2130 AGS 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: Fatemeh Shokraeian
- (b) Other names you have used: _____
2. Place of confinement:
 - (a) Name of institution: Otay Mesa Detention Center CIO Core Civic
 - (b) Address: 7488 Calzada de la Fuente, P.O. Box 439049 San Diego, CA 92143-9049, Pod - G 216
 - (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)

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

- 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 43815 San Diego, CA 92143-8150

(b) Docket number, case number, or opinion number: [REDACTED]

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

Prolonged immigration detention without the possibility
of bail or parole (positive CAT Interview). Hearings are
rescheduled, not final decision after 18 months. Trial concluded on Jan 28, no decision.

(d) Date of the decision or action: March 02, 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: Exhaustion of administrative
remedies is not required for constitutional claims under 28 U.S.C.
§ 2241 immigration detention cases. I still have not received a decision, after January 2

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: _____

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

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: March 02/2025
- (b) Date of the removal or reinstatement order: None
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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: _____

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: Prolonged detention without final order decision in the case even though the trial concluded on January 28, 2026, I may receive a favorable decision.

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 Do not cite cases or law.):

Since March 02/2025, no decisions have been made on my case, hearings are being rescheduled. I had five final court hearings; December 02, 2025; December 16, 2025; January 5, 2026, January 17, 2026; January 28, 2026. No final decision, and no court date. Detained 13 months no for see able end.

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

Yes No

GROUND TWO: Hardship from 13 months detention, no criminal record or flight risk, without parole. Positive CAT interview.

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

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

Yes No

GROUND THREE: No bond hearing provided. Detained since entry, no opportunity to request bond despite prolonged status and ongoing proceedings

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

Mr. Judge. I. J Robinson told me that we were not under his jurisdiction for the bond hearing

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

Yes No

GROUND FOUR: Health problems that require treatment that is not provided at OMDC.

(a) Supporting facts (Be brief. Do not cite cases or law.): Since I came here my mental health deteriorated significantly. Two of my teeth were severely damaged due to nerve damage and medical here can't provide treatment. Also, around that time, I developed a genital infection, which I still suffer from. The most difficult thing is; I have chronical asthma and it's hard to breathe in this area. My mental and physical health become worsed.

(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: The grounds are constitutional (due process) and are directly in Habeas Exhaustion or administrative remedies is not required for constitutional claims under 28 U.S.C in immigration detention cases.

Request for Relief

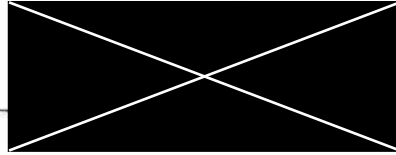
15. State exactly what you want the court to do: I sincerely ask the court to release me as my detention is unfounded or to allow me to be released on bail. I have family and friends who can sponsor me.

Declaration Under Penalty Of Perjury

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

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: 03/30/2026



Signature of Attorney or other authorized person, if any