FILED
AUG 14 2026
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY GON DEPUTY

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

Fatemeh Shokraeiyan
Petitioner

v.

Warden, O.M.D.C.
Field office director, ICE, San Diego
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. 26-cv-2130-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 Shokraeiyan
   (b) Other names you have used: _____
2. Place of confinement:
   (a) Name of institution: Otay Mesa Detention Center
   (b) Address: PO Box 438150 San Diego, CA 92153-8150
   (c) Your identification number: [redacted]
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)

☐ 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

(b) Docket number, case number, or opinion number: 26-cv-2130-AGS-BLM

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

Asylum re-opened motion review
Prolonged detention without a proper bond hearing judgment

(d) Date of the decision or action: July 10th, 2026

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: Board of Immigration Appeals

(2) Date of filing: May 7th, 2026

(3) Docket number, case number, or opinion number: 26-cv-2130-AGS-BLM

(4) Result: Granted, re-opened.

(5) Date of result: Pending

(6) Issues raised: When documents were first filled, it was a negative response. Once the appeal got filled and granted and approved to re-open my case for review.

(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

(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: _____

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

(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: Reconsideration of Immigration judge's bond ruling.

(b) Name of the authority, agency, or court: Hon. Andrew G. Schopler

(c) Date of filing: June 11th, 2026, July 12th, 2026

(d) Docket number, case number, or opinion number:

(e) Result:

(f) Date of result: July 10th, 2026, July 29th, 2026.

(g) Issues raised: July 10th response stated that applications must be made in immigration court. To seek a "bond redetermination" July 29th, the court finds merely offering do not amount to not amount to materially changed circumstances sufficient for an additional hearing pursuant

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: I have been detained for over twelve months. I have been living in harsh living conditions that are affecting my health and mental health. It has been prolonged and unreasonable without adequate procedural safeguards.

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

I have been here detained for 16 going to 17 months. My health has deteriorated over the prolonged stayed. I have sleep issues, the facility conditions are overwhelming. I suffer from asthma and it has gotten worst over my living conditions. I've been to medical and pshycatrics for my mental and health.

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

☐ Yes ☒ No

GROUND TWO: Denial of bond redetermination.

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

Bond got denied only for the sponsor. I got accepted to 'Casa Marianella sponsorship. as I was requested to get a more reliable sponsor. I have all the documents of my sponsorship. Once I requested for another bond hearing once I had my new sponsor it got denied.

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

☐ Yes ☒ No

GROUND THREE: Requesting to please keep judge Robinson as he was my primary judge for my proceedings.

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

When I was going to my bond hearing, judge Robinson had an emergency and had to leave. I then got appointed to judge Mark. I will like to kindly ask to switch to my original judge, judge Robinson.

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

☐ Yes ☒ No

GROUND FOUR: I am a good citizen, good human being with rights just as any amerrican

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

I do not represent any risk to the community, I have Cesar Marcanella to sponsor me. I have no criminal record, I am a calm, respectful, intelligent woman with good morals.

(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: I would like to kindly request Order my immediate release from detention, or, in the alternative, order a bond hearing where I can present all documents and sponsorship as I was requested.

Declaration Under Penalty Of Perjury

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

August 11th, 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: 08/11/26

[redacted]

Signature of Petitioner

Signature of Attorney or other authorized person, if any