

**FILED**  
APR 06 2026  
CLERK, U.S. DISTRICT COURT  
SOUTHERN DISTRICT OF CALIFORNIA  
BY

YAYA DIALLO SAIKOU

NAME

~~XXXXXXXXXX~~

PRISON NUMBER

IMPERIAL REGIONAL DETENTION FACILITY

PLACE OF CONFINEMENT

1572 GATEWAY RD. CALEXICO, CA 92231

ADDRESS

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

'26CV2167 RSH BLM

YAYA DIALLO SAIKOU

(FULL NAME OF PETITIONER)

Petitioner

Civil No. \_\_\_\_\_  
(TO BE FILLED IN BY CLERK OF U.S. DISTRICT COURT)

v.

WARDEN JEREMY CHASEY

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

Respondent

**PETITION FOR WRIT OF HABEAS CORPUS**

**UNDER 28 U.S.C. § 2241**

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

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:

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: Imperial Immigration Court,  
2409 La Brucherie Rd, Imperial Ca.

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): Immigration and Custom Enforcement's Prolonged  
detention without an opportunity for a bond hear  
ing.

(d) Date of the decision or action: 12/13/2024

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: No appeal available. Any appeal would be futile.

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 5 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: No appeal available. Any appeal would be futile.

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: my detention has been unreasonably prolonged and violates the 5th Amendment of the Constitution.

(a) Supporting FACTS (state briefly without citing cases or law)

I have been detained here in Imperial Regional detention facility for over one year and three months.

The approach adopted by the United States Court of Appeals for the Ninth Circuit is to apply a bright-line rule to cases of mandatory detention on where the government's statutory mandatory detention authority is reduced to a six months period subject to finding of flight risk or dangerousness.

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

Yes  No

GROUND TWO: I am not a flight risk or danger to the  
Society.

(a) Supporting FACTS (state briefly without citing cases or law):

I have a sponsor who is a lawful permanent re-  
sident. He is a tax payer and gainfully employed and  
law abiding. He is willing to accommodate and take  
care of my basic needs throughout my immigrat-  
ion proceedings. He will also ensure that I attend  
all my immigration court dates and every immigration  
and custom enforcement's appointments if the need  
arises. And I promise never to violate any immigrat-  
ion court rules if being released from detention.

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

Yes  No

GROUND THREE: I am Entitled to Due process under the 5th Amendment of United State's Constitution

(a) Supporting FACTS (state briefly without citing cases or law): It is well settled that the 5th Amendment Entitled aliens to due process in immigration proceedings. The due process clause applies to all person within the USA including aliens whether their presence here is lawful, unlawful, temporary or permanent.

More than a decade ago in the Zadvydas decision the United State Supreme Court signaled its concerns about the constitutionality of a statutory scheme that ostensibly authorized indefinite detention of non-citizens. Two years later when the Court upheld the constitutionality of 8.U.S.C. § 1226(c) in the Demore decision, it emphasized that for detention under the statute to be reasonable, it must be for a brief period of time. Justice Kennedy explained in his concurrence in the Demore decision that were there to be an unreasonable delay by the Immigration and Naturalization Service in pursuing deportation proceedings it could become necessary then to inquire if the detention is facilitate deportation but to incarcerate.

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

Yes  No

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

(a) Supporting FACTS (state briefly without citing cases or law):

The duration of my current detention has been unreasonably prolonged and there is reason to anticipate significant future detention during my immigration proceedings. My Asylum application was denied by an immigration judge and I appealed the decision to the Board of Immigration Appeals (BIA) for over four months now my appeal has been pending. Even if I receive an adverse decision from the BIA I can afterwards appeal to the Ninth Circuit which could take two years or more.

The conditions of confinement here is also not favorable, it's affecting me both physically and psychologically, I'm depressed and most times I can't sleep unless I take a pill. We have been denied access to the internet which makes it almost impossible to communicate with my family and loved ones.

(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:

None of these grounds were presented to any state or federal court. petitioner is presenting these grounds for the first time to this court.

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 N/A

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

4/2/26

(DATE)

[Signature]

SIGNATURE OF PETITIONER