



~~Yaya Diallo Saikou~~  
IRDF  
1572 Gateway Road  
Calexico CA 92231  
May 15, 2026.

United States District Court  
Southern District of California  
333 West Broadway Suite 420  
San Diego CA 92101

Re: Motion to Enforce Habeas Review

Case No: Yaya-Diallo v. Casey 3:26-cv-02167-RSH-BLM

Petitioner Yaya Diallo Saikou is a citizen from Guinea Conakry who entered the United States seeking asylum on December 43, 2024. He was arrested at the port of entry at the Southern border near Calexico California and was transferred to Imperial Regional detention facility, Calexico CA, 92231 till present date. Petitioner is writing to this Court to kindly review and enforce judgment because he was denied bond by an Immigration Judge Hon. Anne Kristina Perry at the Imperial Court La Barchene road CA, 92251. The Immigration Judge did not apply the burden of proof correctly during petitioner's bond hearing. At the evidentiary hearing the adjudicator must consider alternatives to detention and petitioner's financial circumstance and that challenge is properly directed to the Board of Immigration and appeals BIA. Petitioner has exhausted administrative remedies by appealing to the BIA before asking the federal court to review the Immigration Judge's adverse bond determination. Petitioner's BIA appeal is pending and there is no currently administrative final order of removal and if the BIA affirms the IJ's order, petitioner is likely to pursue Ninth Circuit review which the full appellate cycle may take up to two years or

longer" Thus future detention can last several more months or even years.

Petitioner [REDACTED] claims his Immigration detention has been arbitrarily and unreasonably prolonged and that he was improperly denied a bond hearing. Petitioner requests outright release, a bond hearing from the district Court before an Immigration Judge with certain guardrails.

Petitioner is a non citizen currently detained by respondents pending Immigration proceedings. Petitioner is pursuing the following claims: ICE's Continued detention of petitioner is unconstitutional and unlawful because;

- (1) Petitioner was apprehended near US-Mexico border without valid documents and was found to be an "applicant for admission," as defined by Section 1225(a)(1), and following his positive Credible Fear determination, is subject to detention. Since being apprehended he has not been granted any form of parole. His detention has become unreasonable and violates the due process "period qualifies as prolonged".
- (2) Petitioner have bear the burden of proving his case by a preponderance of evidence even though it was delayed because he is in detention and he was only given his NTA two days before his bond hearing (ie providing Sponsors papers who is willing to ensures that he house cloth and provide financial support to followup all his Immigration proceedings. Mr Amadou Tidjane Sow is a US citizen and has ties to the Community. Petitioner has his valid identification documents with DHS. He poses no dangerousness or risk of flight if released and also not a threat to US national Security.
- (3) Petitioner is willing to complied with the terms and Conditions of his release. He has no criminal record or any prior Immigration violation. Petitioner has been mandatorily detained at the IRP continuously since December 13, 2024 - over 1 year and 5 months period.

- (A) Petitioner has a pending appeal with the Board of Immigration and Appeals (BIA) and his removal order has not become final and the undersigned cannot determine how long petitioner removal proceedings will remain pending. Petitioner contends that his mandatory detention violates the Due Process Clause of the fifth amendment. Petitioner had a Credible fear determination and was put in removal proceedings.
- (S) Petitioner contends he is entitled to relief because he does not assert a substantive, not procedural due process claim which thus requires the Court should order his release.
- (6) Petitioner alleges that his habeas petition was written in French and was help at the law library to be translated to English.
- (F) Respondent did not justify petitioner continued detention based on mandatory detention. The bond hearing was subjected to immigration proceedings which has not become final. The government was to show by clear and convincing evidence that petitioner would likely flee or pose a danger to the community if released, prove dangerousness or risk of flight at the bond hearing.

I pray for justice

Under the penalty of perjury, I declare that the above information is true and correct to the best of my understanding.

Respectfully Submitted

Yaya - Diakho, Saikou.



5/15/2026