

Egor Skapenko

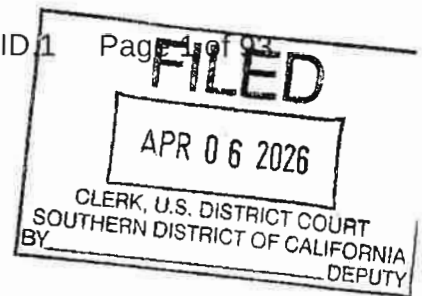


Otay Mesa Detention Center

7488 Calzada de la Fuente

San Diego, CA 92143

Pro Se



'26CV2168 RSH DDL

UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF CALIFORNIA

Egor Skapenko,

Pro Se

Petitioner,

vs.

Christofer J. LaRose, Warden, Otay Mesa
Detention Center; Field Office Director, San
Diego Office of Detention and Removal; Acting
Director, U.S. Immigration and Customs
Enforcement; and Attorney General, U.S.
Department of Justice; and Secretary, U.S.
Department of Homeland Security

Respondents.

**PETITION FOR A WRIT OF
HABEAS CORPUS**

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Re: Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241

Petitioner: **SKAPENKO EGOR**

A-Number: 

Detention Facility: Otay Mesa Detention Center

Honorable Judge:

I respectfully submitted Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 **challenging my continued and prolonged immigration detention by U.S. Immigration and Customs Enforcement (ICE).**

I have been detained for approximately **18 months** following a final order of removal, without any meaningful determination that continued detention is necessary or justified. There is no significant likelihood of removal in the reasonably foreseeable future, and my continued detention has become excessive, punitive and no longer serves a legitimate civil immigration purpose.

The factual background and circumstances supporting this Petition are set forth in my Declaration and the attached exhibits. These materials demonstrate that I do not pose a danger to the community, have maintained a clean disciplinary record throughout my detention, and am willing to comply with any conditions of release deemed appropriate by the Court, including supervision, reporting requirements or electronic monitoring.

I respectfully request that the Court Grant this Petition and order my **immediate release or, in the alternative, order my release under the least restrictive conditions necessary.**

Respectfully submitted
SKAPENKO EGOR



Otay Mesa Detention Center

San Diego, California 92154

Date: 04/01/2026



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

INDEX OF ATTACHMENTS AND EXHIBITS

Petitioner: SKAPENKO EGOR

A-Number: 

Detention Facility: Otay Mesa Detention Center

- **Petition for Writ of Habeas Corpus (Form AO 242);**
- Attachment A-Respondents;
- Attachment B-Ground Two:No Danger to the community;
- Attachment C-Ground Three:Continued Detention Is Punitive and Excessive;
- Attachment D-Ground Four:Not A Flight Risk, Disciplinary Detention History; *Medical Records.*
- **Declaration of Petitioner;**
- Exhibit 1-Notice To Appear [September 27, 2024]
- Exhibit 2-Application for Asylum (Form I-589);
- Exhibit 3-Immigration Court Denied Application [May 30, 2025];
- Exhibit 4-Notice to Appeal and Filing Receipt from the BIA [June 09, 2025];
- Exhibit 5-Request for Parole [June 19, 2025];
- Exhibit 6- Requested Bond Hearing [October 10, 2025];
- Exhibit 7- Denied Bond Hearing [October 17, 2025];
- Exhibit 8- Supporting Legal Cases;
- Exhibit 9- Sponsorship Information from Petitioner sister.
- **Certificate Of Service**

Respectfully Submitted,

SKAPENKO EGOR

Petitioner, Pro Se

Date: 04/01/2026



UNITED STATES DISTRICT COURT

for the

Southern District of ~~Illinois~~ California

EGOR SKAPENKO

Petitioner

(the name under which you were convicted)

v.

CHRISTOFER J. LAROSE SENIOR WARDEN,

OTAY MESA DETENTION CENTER

Respondent

(authorized person having custody of Petitioner)

Case Number:

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

Personal Information

1. (a) Your full name: EGOR SKAPENKO
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: OTAY MESA DETENTION CENTER
(b) Address: 7488 CALZADA DE LA FUENTE
SAN DIEGO, CA, 92154
(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: _____
(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: U.S. Immigration and Customs Enforcement ("ICE")

OTAY MESA DETENTION CENTER, SAN DIEGO, CA

(b) Docket number, case number, or opinion number: _____

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

Petitioner is challenging his prolonged and excessive detention. Petitioner request for immediate release from the custody and prohibiting re-arrest without a pre-detention hearing.

(d) Date of the decision or action: _____

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 _____

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: 09/27/2024

(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: 06/09/2025

(2) Case number: A# 246909756

(3) Result: Pending since filing

(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.

GROUND ONE: PROLONGED AND EXCESSIVE DETENTION IN VIOLATION OF DUE PROCESS

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

I have been subjected to prolonged and excessive immigration detention in violation of the due process clause of United States Constitution. Although immigration detention is civil and not intended to be punitive. My detention has far exceeded any reasonable purpose. As a result, my detention has become excessive, arbitrary and unconstitutional.

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

☐ Yes ☒ No

GROUND TWO: I DO NOT POSE DANGER TO THE COMMUNITY AND CONTINUED DETENTION IS UNJUSTIFIED.

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

Please see attached continuation of ground two.

Attachment B

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

☐ Yes

☒ No

GROUND THREE: MY CONTINUED DETENTION IS PUNITIVE, EXCESSIVE AND NO LONGER SERVES A LEGITIMATE CIVIL IMMIGRATION PURPOSE.

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

Please see attached continuation of ground three.

Attachment C

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

☐ Yes

☐ No

GROUND FOUR: I AM NOT A FLIGHT RISK AND CONTINUED DETENTION IS UNJUSTIFIED.

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

Please see attached continuation of ground four.

Attachment D

(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: I did not previously present these grounds because I was detained and lacked meaningful access to legal resources.
I was unable to adequately understand or raise these constitutional claims earlier.

Request for Relief

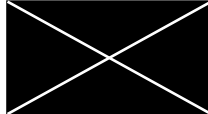
15. State exactly what you want the court to do: I respectfully request that the Court order my immediate
release from the immigration detention. As my Continued Detention is Excessive and no longer serves a legitimate civil immigration
purpose. As I have been Detained Approximately 18 Months. Prohibiting re-arrest without a pre-detention hearing. Enjoin Respondents
from transferring me out of this Court's jurisdiction during the pendency of this action.

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: 04/01/2026



Signature of Petitioner

X

Signature of Attorney or other authorized person, if any

ATTACHMENTS

ATTACHMENT A
Respondents

Patrick Divver

Regional Director of Enforcement and Removal Operations(ERO)

San Diego Field Office

U.S. Immigration and Customs Enforcement(ICE)

Todd M. Lyons

Acting Director

U.S. Immigration and Customs Enforcement(ICE)

ATTACHMENT B

GROUND TWO

Petitioner Does Not Pose a Danger to the Community and Continued Detention is Unjustified

I respectfully assert that I do **not pose a danger to the community**, and the government lacks any sufficient or individualized justification for my continued and prolonged detention.

I have **never received any military, paramilitary or combat training**, and I have **no history of violence**. During the approximately **18 months** that I have been detained, I have maintained a **clean and disciplinary-free record**. The Court may verify my detention record directly from the detention facility, which will confirm that I have complied with all institutional rules and requirements.

Less restrictive alternatives to detention are both **available and appropriate** in my case. I am fully willing to comply with any conditions of release imposed by the Court, including supervision, reporting requirements and electronic monitoring. These alternatives would adequately address any governmental concerns while respecting my liberty interests.

Under these circumstances, continued detention is **excessive, unnecessary and unsupported by the record**, and it violates fundamental principles of **liberty and due process** guaranteed under the Constitution.

ATTACHMENT C

GROUND THREE

Continued Detention is Punitive, Excessive and No Longer Serves a Legitimate Civil Immigration Purpose

I respectfully assert that my continued detention has become **punitive rather than civil in nature**. I have been detained for an extended and unreasonable period of time **without any individualized determination** that continued physical detention is necessary to serve a legitimate immigration purpose.

At no point have I caused any unreasonable delay in immigration proceedings. I have fully complied with all requirements imposed upon me by the government and the Immigration court. Nevertheless, I remain detained **without sufficient justification**, despite the clear availability of **less restrictive alternatives**, including release under supervision, reporting requirements or electronic monitoring.

The government's continued decision to detain me, rather than employ these reasonable alternatives, renders my detention **excessive and unnecessary**, and no longer reasonably related to its civil immigration objectives.

Furthermore, during my prolonged detention, I have developed **multiple medical conditions** and continue to suffer from ongoing **physical health problems**, as well as **significant mental and emotional distress** resulting from extended confinement. My health has deteriorated as a direct consequence of prolonged detention, which has imposed severe hardship beyond what is constitutionally permissible in a civil immigration context.

I fled my country based on my fear of **persecution and torture** due to **sexual orientation, political opinion, and nationality/ethnicity** and sought refuge in the United States in search of safety and protection. Instead, I have been confined in Immigration detention for approximately **18 months**. Under these circumstances, continued detention is **unreasonably harsh, excessive and punitive**, and violates the fundamental principle that immigration detention must remain civil—not punitive—in nature.

Accordingly, my continued detention no longer serves any legitimate civil immigration purpose and weighs strongly in favor of relief.

ATTACHMENT D

GROUND FOUR

Petitioner Is Not A Flight Risk and Continued Detention is Unjustified

I respectfully assert that I'm **not a flight risk for the community**, and the government lacks any sufficient or individualized justification for my continued and prolonged detention.

I have **never received any military, paramilitary or combat training**, and I have **no history of violence**. During the approximately **18 months** that I have been detained, I have maintained a **clean and disciplinary-free record**. The Court may verify my detention record directly from the detention facility, which will confirm that I have complied with all institutional rules and requirements.

Less restrictive alternatives to detention are both **available and appropriate** in my case. I am fully willing to comply with any conditions of release imposed by the Court, including supervision, reporting requirements and electronic monitoring. These alternatives would adequately address any governmental concerns while respecting my liberty interests.

Under these circumstances, continued detention is **excessive, unnecessary and unsupported by the record**, and it violates fundamental principles of **liberty and due process** guaranteed under the Constitution.

PETITIONER DECLARATION

- I am currently a 24-years old Russian citizen and Ukrainian native who presented yourself at the U.S. / Mexico border in accordance with CBP One appointment and requested asylum in USA at the Tijuana / San Ysidro port-of-entry on **September 27, 2024**. I was taken into CBP/DHS custody, and **detained at Otay Mesa Detention Center ("OMDC") where I have remained ever since** [Exhibit-1].
- I later applied for Asylum, Withholding of Removal and protection under Convention Against Torture based on my fears of persecution and torture due to my sexual orientation (gay men), political opinion and nationality [Exhibit-2].
- The Immigration Judge ("IJ") denied all relief on May 30, 2025 [Exhibit-3].
- I filed a timely appeal to the Board of Immigration Appeals ("BIA") on June 9, 2025. [Exhibit-4]. That **appeal remains pending already approximately 10 months**.
- On June 19, 2025 I submitted a Request for Parole to Immigration and Custody Enforcement ("ICE"). [Exhibit-5]. **I received no acknowledgment or response of any kind.**
- I requested a bond hearing on October 10, 2025. [Exhibit-6]. IJ denied my request on October 17, 2025. [Exhibit-7].
- **I have now been incarcerated for 18 months and my BIA appeal is still pending.** I respectfully requesting this Court with a writ of habeas corpus to take jurisdiction to immediate **release me from detention and prohibiting my re-arrest** without a pre-detention hearing.
- I also include for this declaration supporting similar legal cases [Exhibit-8], and my sponsorship information [Exhibit-9].

Thank you.

Respectfully,



Dear DHS:

I am Kateryna Pelletier, born in Ukraine on May 30, 1993. I am a U.S. citizen and Egor Skapenko's full sister.

~~I am writing to plead with you to release my brother from detention. I am extremely concerned for his mental health and well-being if he remains imprisoned.~~

Egor has been diagnosed and treated for general anxiety disorder and severe depression since he attended University. He has had several severe panic attacks while in detention at Otay Mesa, some of which involved him collapsing to the floor, alarming others to the extent that they rushed over to help.

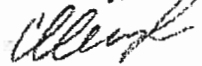
I've been speaking to him regularly since he was first detained in September of 2024, and I've been very concerned by his tone and overall attitude, which has become increasingly despondent and withdrawn. His sleep has been poor, adding significantly to his stress, and his anxiety level is extreme. He expresses to me that he doesn't know how he can continue to live in the prison environment, and that the only thing that terrifies him more is the prospect of being deported to Russia or Ukraine, where I believe he would face immediate and severe danger.

I live in North Carolina with my U.S. citizen husband, Andrew Pelletier, and our 3-year old U.S. citizen daughter, [REDACTED]. Currently, I am a full-time mom, but my husband earns enough to support us and Egor as well. My husband and I want nothing more than to welcome Egor to our home at [REDACTED] where we have a spare room waiting for him.

Our daughter [REDACTED] adores Egor. She speaks often about how much she misses him and asks when he'll be coming to play with her again. Egor is an extremely talented designer, and [REDACTED] loved coloring and drawing with him. He was an incredibly positive influence on her, and now that we're expecting a new baby, Egor's devotion and love for our family will be indispensable to us, both during and after my pregnancy. His support will be particularly important as I suffer from general anxiety and depression, and the months after our first daughter's birth were extremely difficult for me.

Again, I ask that you release my brother. We can provide him with a loving home while he awaits the outcome of his appeal, and ensure that he presents himself if called back into court or for a deportation date. He is a kind, warm, and responsible human being who has never harmed anyone. I am gravely concerned about his mental health after so many months in detention, and I fear that he will continue to deteriorate.

Sincerely,



Kateryna Pelletier

June 18, 2025

CERTIFICATE OF SERVICE

I, SKAPENKO EGOR hereby certify that on _____, I served a true and correct copy of the Petition for Writ of Habeas Corpus under 28 U.S.C § 2241, together with all attachments and exhibits, on Respondent by depositing the same in United States Mail, postage prepaid, addressed to:

Office of the Chief Counsel
U.S. Immigration and Customs Enforcement(ICE)
880 Front Street, Suite 2246
San Diego, CA 92101

I declare under penalty of perjury that the foregoing is true and correct.

Dated: _____

Petitioner, Pro Se

[This letter includes
both copies]