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UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Reza JULYSARAVI

Petitioner,

v.

Christopher J. LAROSE, Warden, Otay
Mesa Detention Center;
Gregory J. ARCHAMBEAULT, Field
Office Director, San Diego Field Office,
United States Immigration and Customs
Enforcement;
Todd M. LYONS, Acting Director,
United States Immigration and Customs
Enforcement;
Markwayne MULLIN, Secretary of
Homeland Security;
Todd BLANCHE, Acting Attorney
General, in their official capacities,

Respondents.

Case No.: '26CV2251 RSH BJW

**PETITION FOR WRIT OF HABEAS
CORPUS AND ORDER TO SHOW
CAUSE WITHIN THREE DAYS AND
COMPLAINT FOR INJUNCTIVE AND
DECLARATORY RELIEF**

Petitioner Reza Julysaravi petitions this Court for a writ of habeas corpus under 28 U.S.C. § 2241 to remedy Respondents detaining him unlawfully, and states as follows:

INTRODUCTION

1. Petitioner Reza Julysaravi is a noncitizen who seeks immediate release from custody because Respondents have held him at the Otay Mesa Detention Center for over 9 months—a prolonged and constitutionally unreasonable period—without any individualized custody hearing.
2. Petitioner challenges only his present physical confinement and seeks the traditional habeas remedy of release (or, at a minimum, a prompt individualized bond hearing). Petitioner seeks that relief under the federal habeas statute, 28 U.S.C. § 2241, which is the proper vehicle for challenging civil immigration detention. *See Doe v. Garland*, 109 F.4th 1188, 1194 (9th Cir. 2024) (noting that a noncitizen’s challenge to his present confinement falls within the “core of habeas”).
3. His continued detention without a hearing as to flight risk and danger to the community violates the Due Process Clause of the Fifth Amendment. *See Yick Wo v. Hopkins*, 118 U.S. 356, 369 (1886) (Fifth and Fourteenth Amendments protect “all persons”); *Mathews v. Diaz*, 426 U.S. 67, 77 (1976) (due process applies even to those whose presence is “unlawful, involuntary, or transitory”).
4. Petitioner respectfully requests that this Court issue the Writ of Habeas Corpus commanding Respondents to release him from custody and enjoin Respondents from re-detaining him without notice to his counsel and a pre-deprivation hearing before a neutral decision-maker at which Respondents must prove material changes in circumstances justify re-detention.

CUSTODY

5. Petitioner is currently in Respondents' legal and physical custody. 28 U.S.C. § 2241(c)(3).

6. Respondents are detaining him at Otay Mesa Detention Center in San Diego, California. He is under Respondents' and their agents' direct control.

JURISDICTION

7. This Court has jurisdiction to consider this habeas petition complaint under 28 U.S.C. § 1331; 28 U.S.C. § 2241; the Due Process Clause of the Fifth Amendment, U.S. Const. amend. V; and the Suspension Clause, U.S. Const. art. I, 2. Jurisdiction is not limited by a petitioner's nationality, immigration status, or any other classification. *See Boumediene v. Bush*, 553 U.S. 723, 747 (2008).

8. The historical "core" of habeas includes review of the legality of executive detention and, when appropriate, ordering release. *See INS v. St. Cyr*, 533 U.S. 289, 301 (2001) (at habeas's "historical core," the writ served to review the legality of "executive detention"); *see also Lopez-Marroquin v. Barr*, 955 F.3d 759, 759 (9th Cir. 2020) (citing *Singh v. Holder*, 638 F.3d 1196, 1211-12 (9th Cir. 2011)).

9. Petitioner's claim is a prototypical confinement challenge: he challenges only present detention and seeks release, which lies within the "core of habeas." *Doe*, 109 F.4th at 1194.

10. And federal courts are not stripped of jurisdiction under 8 U.S.C. § 1252. *See, e.g., Zadvydas v. Davis*, 533 U.S. 678, 687 (2001). No court has ruled on the legality of Petitioner's detention.

11. Section 1252(b)(9) is not a jurisdictional bar here because Petitioner does not seek review of removability, admission, or any order of removal; he challenges only prolonged physical detention and seeks release (or,

alternatively, a bond hearing). *See Jennings v. Rodriguez*, 583 U.S. 281, 294-95 (2018) (plurality opinion) (holding that, “[u]nder these circumstances, § 1252(b)(9) does not present a jurisdictional bar” to a prolonged-detention/bond-hearing challenge).

12. The Third Circuit recently applied *Jennings* and explained that § 1252(b)(9) channels into the petition-for-review process only those claims whose questions of law or fact are closely tied to removal—i.e., “inextricably linked” to the government’s authority or basis to remove—while distinguishing “length- and conditions-of-confinement claims” as detention claims that are not channeled in the same way. *Khalil v. President of the United States*, Nos. 25-2162 & 25-2357, slip op. at 28-29 (3d Cir. Jan. 15, 2026).

13. Petitioner’s claims fall squarely on the detention-specific side of that line: Petitioner does not contest removability or ask this Court to halt removal proceedings; he seeks only release (or a prompt bond hearing) because detention has become unreasonably prolonged without constitutionally adequate process. *See Jennings*, 583 U.S. at 294-95 (plurality opinion).

14. Moreover, courts have recognized that channeling detention claims away from district court would risk allowing the government to evade meaningful judicial review simply by delaying the entry of a final order for an extended period; *E.O.H.C.* recognized jurisdiction over a prolonged-detention claim in district court notwithstanding § 1252(b)(9). *See E.O.H.C. v. Sec’y U.S. Dep’t of Homeland Sec.*, 950 F.3d 177, 185-86 (3d Cir. 2020) (interpreting *Jennings*, 583 U.S. at 293 (plurality opinion)).

VENUE

15. Venue is proper in this District under 28 U.S.C. § 1391 and 28 U.S.C. § 2242 because at least one Respondent is in this District, Petitioner is detained in this District, Petitioner’s immediate physical custodian is located in this

District, and a substantial part of the events giving rise to the claims in this action have taken place in this District.

PARTIES

16. Petitioner is currently detained by the Respondents at the Otay Mesa Detention Center, an immigration detention facility in San Diego, California. He has been in Immigration and Customs Enforcement (ICE) custody since on or about July 4, 2025.

17. Respondent Jeffrey LaRose is the Senior Warden at the Otay Mesa Detention Center, where Petitioner is being held. Respondent LaRose is Petitioner's immediate custodian. Petitioner sues him in his official capacity.
18. On information and belief, Respondent Gregory J. Archambeault, is the current Field Office Director responsible for the San Diego Field Office of ICE with administrative jurisdiction over Petitioner's immigration case. He is Petitioner's legal custodian. Petitioner sues him in his official capacity.
19. Respondent Todd M. Lyons is the Acting Director of ICE. ICE is a component of the U.S. Department of Homeland Security, 6 U.S.C. § 271, and an "agency" within the meaning of the Administrative Procedure Act, 5 U.S.C. § 701(b)(1). It is the agency responsible for enforcing immigration laws, and it is detaining Petitioner. Respondent Lyons has custodial authority over Petitioner, who names him in his official capacity.
20. Respondent Markwayne Mullin is the Secretary of the Department of Homeland Security (DHS). DHS is the federal agency responsible for enforcing immigration laws and granting immigration benefits. *See* 8 U.S.C.

§ 1103(a); 8 C.F.R. § 2.1. Respondent Mullin has ultimate custodial authority over Petitioner, who names his in his official capacity.

21. Respondent Todd Blanche is the Acting Attorney General of the United States. He is responsible for the Immigration and Nationality Act's implementation and enforcement (*see* 8 U.S.C. §§ 1103(a)(1), (g)), and oversees the Executive Office for Immigration Review. Petitioner names her in her official capacity.

STATEMENT OF FACTS

22. Petitioner is a 26-year-old [REDACTED] He was born there in [REDACTED] 1999. [REDACTED]

23. Petitioner entered the United States on or about July 4, 2025, at or near Otay Mesa, California. *See* Exh. 2. He has been detained at the Otay Mesa Detention Facility since entering.

24. Petitioner was issued a Notice to Appear in immigration court and was scheduled for an initial hearing before an Immigration Judge (IJ) on November [REDACTED] 2024. *See id.*

25. [REDACTED]

26. [REDACTED]

27. [REDACTED]

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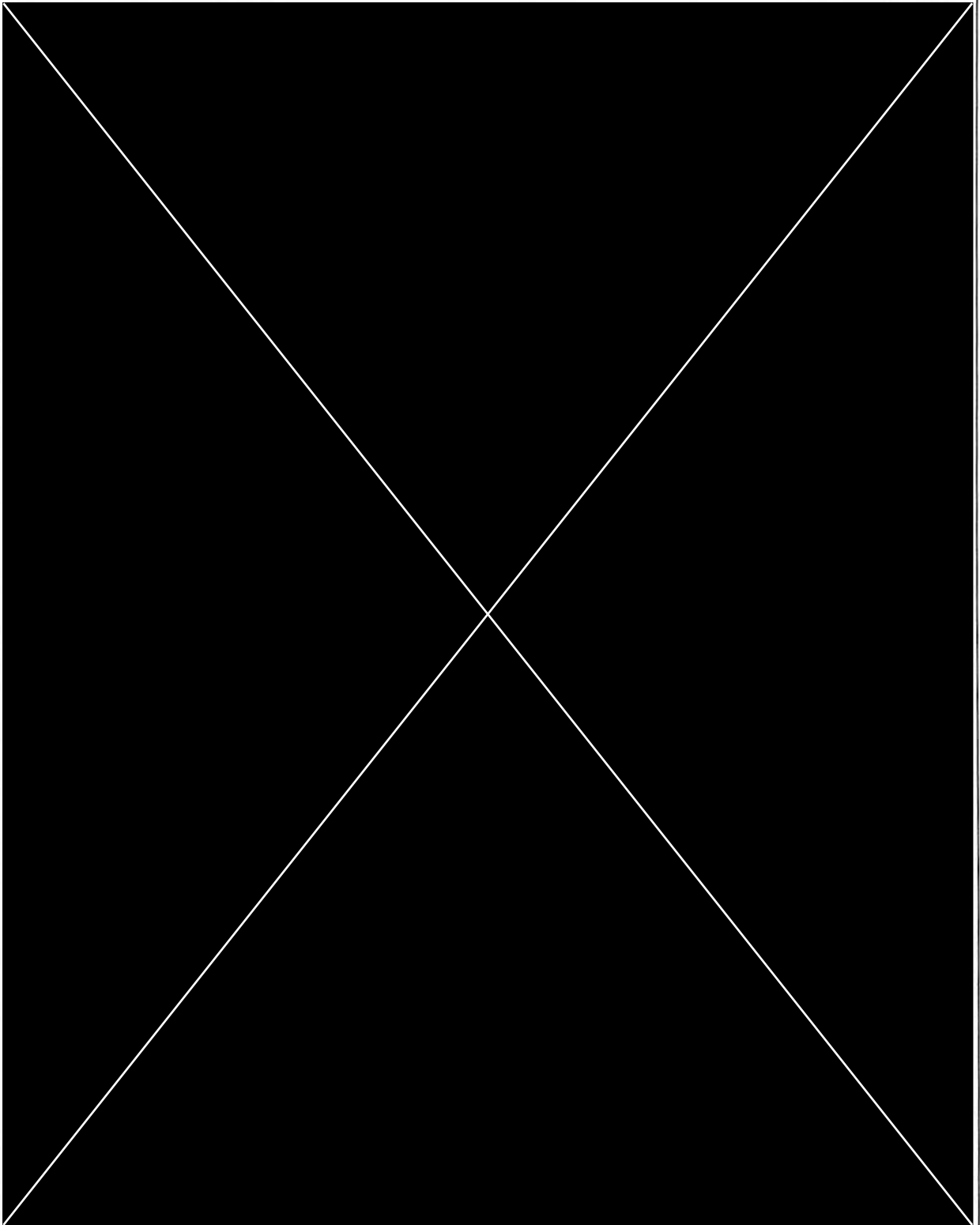
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15 30. Petitioner has been detained continuously since July 4, 2025—exceeding 9
16 months as of the filing of this Petition—without ever receiving a bond
17 hearing before an immigration judge at which the government must justify
18 continued detention based on flight risk or danger. *Zadvydas*, 533 U.S. at
19 718; *Kydrali v. Wolf*, 499 F. Supp. 3d 768 (S.D. Cal. 2020).

20 31. Respondent has been a model detainee and is a porter within his unit. He

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26 35. Respondent notes a significant difference in how immigration detainees are
27 treated as compared to inmates under the jurisdiction of the US Marshall
28 who receive much more favorable treatment. *See id.*

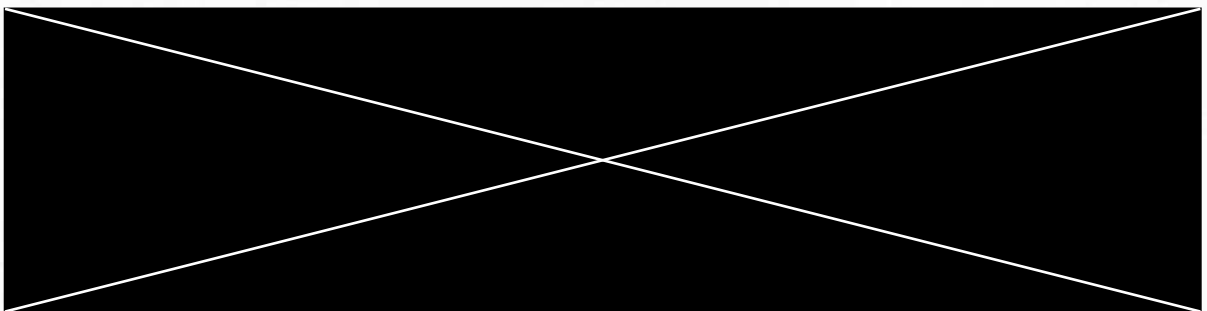
- 1 36. Petitioner has requested humanitarian parole on at least two occasions, but
2 no response has been received from ICE. *See id.*
- 3 37. ICE has not provided Petitioner with any meaningful process to challenge
4 the necessity or duration of his detention.
- 5 38. Petitioner has not been convicted of any crime in the United States or
6 elsewhere.
- 7 39. Petitioner does not pose a flight risk. He has identified a sponsor in the
8 United States and demonstrated his willingness to comply with removal
9 proceedings by appearing at every scheduled hearing. *See* Exh. 7.
- 10 40. Petitioner does not pose a danger to the community. There is no evidence in
11 the record suggesting that he has engaged in any violent or dangerous
12 conduct.
- 13 41. Counsel for Immigration and Customs Enforcement reserved the right to
14 appeal the court's decision, a process that could take years. As of the filing
15 of this Petition, there is no definite timeline for his release.
- 16 42. Despite the absence of any individualized determination regarding
17 Petitioner's risk or dangerousness, Respondents continue to detain him
18 indefinitely.

19 **EXHAUSTION OF REMEDIES**

- 20 43. Exhaustion in habeas is prudential, not jurisdictional. *See Hernandez v.*
21 *Sessions*, 872 F.3d 976, 988 (9th Cir. 2017).
- 22 44. A court may waive the prudential exhaustion requirement if "administrative
23 remedies are inadequate or not efficacious, pursuit of administrative
24 remedies would be a futile gesture, irreparable injury will result, or the
25 administrative proceedings would be void." *Id.* (quoting *Laing v. Ashcroft*,
26 370 F.3d 993, 1000 (9th Cir. 2004) (citation and quotation marks
27 omitted)).
28

- 1 45. Exhaustion should be waived for futility because Respondents assert
2 Petitioner is subject to mandatory detention and Immigration Judges in this
3 procedural posture invariably conclude they lack authority to hold a custody
4 redetermination hearing, rendering administrative efforts futile.
- 5 46. Moreover, every day that Petitioner remains detained causes him harm that
6 cannot be repaired.
- 7 47. The Court must consider the effects of prolonged detention on Petitioner in
8 its irreparable harm analysis. *See De Paz Sales v. Barr*, No. 19-CV-07221-
9 KAW, 2020 U.S. Dist. LEXIS 9851, at 5, 10 (N.D. Cal. Jan. 21, 2020)
10 (noting that the petitioner “continues to suffer significant psychological
11 effects from his detention, including anxiety caused by the threats of other
12 inmates and two suicide attempts,” in finding that petitioner would suffer
13 irreparable harm warranting waiver of exhaustion requirement).

LEGAL FRAMEWORK



Due Process Constraints on Immigration Detention

- 20 49. The Due Process Clause applies to noncitizens, and the Supreme Court has
21 “long recognized that the Fifth and Fourteenth Amendments refer to all
22 persons, not just citizens.” *Yick Wo*, 118 U.S. at 369.
- 23 50. The Supreme Court has further held that “even one whose presence in this
24 country is unlawful, involuntary, or transitory is entitled to that
25 constitutional protection of the Due Process Clauses of the Fifth and
26 Fourteenth Amendments.” *Mathews*, 426 U.S. at 77-78; *see also Plyler v. Doe*,
27 457 U.S. 202, 210 (1982); *Wong Wing*, 163 U.S. 228, 238 (1896).
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- 1 51. And while the Supreme Court in *Department of Homeland Security v.*
2 *Thuraissigiam*, 591 U.S. 103, 107 (2020), rejected a habeas petitioner's
3 argument that the Due Process Clause conferred additional rights to
4 challenge expedited removal beyond those Congress provided, and stated
5 that "an alien at the threshold of initial entry cannot claim any greater
6 rights under the Due Process Clause," *Thuraissigiam* does not foreclose a
7 constitutional challenge to prolonged physical detention without an
8 individualized bond hearing.
- 9 52. In *Thuraissigiam*, the Court reasoned that the political branches have
10 plenary authority over admission and exclusion and that "an alien in
11 respondent's position has only those rights regarding admission that
12 Congress has provided by statute," (*id.* at 140), but courts have
13 distinguished admission-related due process limitations from detention-
14 related due process protections.
- 15 53. Consistent with that distinction, courts have recognized that "the Due
16 Process Clause stands as a significant constraint on the manner in which the
17 political branches may exercise their plenary authority—through detention
18 or otherwise," and have concluded that "the holding in *Thuraissigiam* does
19 not foreclose" due process claims seeking a bond hearing with procedural
20 protections. *Hernandez v. Wofford*, No. 25-cv-986-KES-CDB HC, 2025 WL
21 2420390, at *6 (E.D. Cal. Aug. 21, 2025) (citations omitted); *Padilla v. ICE*,
22 704 F. Supp. 3d 1163, 1171-72 (W.D. Wash. 2023).
- 23 54. And as courts have explained, "[n]owhere in [*Thuraissigiam*] did the
24 Supreme Court suggest that arriving aliens being held under § 1225(b) may
25 be held indefinitely and unreasonably with no due process implications, nor
26 that such aliens have no due process rights whatsoever." *A.L. v. Oddo*, 761 F.
27 Supp. 3d 822, 825 (W.D. Pa. 2025).
- 28

Prolonged Detention Standard

55. Courts evaluating whether § 1225(b) detention has become unreasonably prolonged apply a fact-intensive balancing framework, including the six factors articulated in *Banda v. McAleenan*. See *Banda v. McAleenan*, 385 F. Supp. 3d 1099, 1106 (W.D. Wash. 2019) (citing *Jamal A. v. Whitaker*, 358 F. Supp. 3d 853, 858-59 (D. Minn. 2019)) (accord *Kydyrali*, 499 F. Supp. 3d at 773-74).
56. Under that six-factor framework, courts consider: “(1) the total length of detention to date (2) the likely duration of future detention (3) conditions of detention (4) delays in the removal proceedings caused by the detainee (5) delays in the removal proceedings caused by the government and (6) the likelihood that the removal proceedings will result in a final order of removal.” See *Banda*, 385 F. Supp. at 1106 (internal citations omitted).
57. Courts in this District have similarly recognized that, at some point, prolonged mandatory detention under § 1225(b) without an individualized bond hearing violates due process. See *Kydyrali v. Wolf*, 499 F. Supp. 3d 768, 772-74 (S.D. Cal. 2020); *Rash v. LaRose*, No. 26v0008-LL-DEB, 2026 U.S. Dist. LEXIS 19033 at *13 (S.D. Cal. Jan. 30, 2026) (“Considering all the factors, the Court finds Petitioner’s mandatory detention under § 1225(b) has become unreasonable and that due process requires that he be provided with a bond hearing.” See *Rodriguez v. Robbins*, 715 F.3d 1127, 1144 (9th Cir. 2013) (“[W]e note that the discretionary parole system available to § 1225(b) detainees is not sufficient to overcome the constitutional concerns raised by prolonged mandatory detention.”)); *Sadeqi v. LaRose*, No. 25-cv-2587-RSH-BJW, 2025 U.S. Dist. LEXIS 222822 at *11-*12 (S.D. Cal. Nov. 12, 2025); *Maksin v. Warden, Golden State Annex*, No. 1:25-cv-00955-SKO (HC), 2025 U.S. Dist. LEXIS 200588 at *8 (E.D. Cal. Oct. 9, 2025) (“Several courts including the Third,

Sixth, and Ninth Circuit, as well as numerous district courts, have found that unreasonably long detention periods may violate the due process clause.” (collecting cases)); *Abdul-Samed v. Warden of Golden State Annex Det. Facility*, No. 1:25-CV-00098-SAB-HC, 2025 U.S. Dist. LEXIS 142973 at *16 (E.D. Cal. July 24, 2025) (“[E]ssentially all district courts that have considered the issue agree that prolonged mandatory detention pending removal proceedings, without a bond hearing, ‘will—at some point—violate the right to due process.’” (quoting, *Martinez v. Clark*, No. C18-1669-RAJ-MAT, 2019 WL 5968089, at *6 (W.D. Wash. May 23, 2019), *report and recommendation adopted*, No. 18-CV-01669-RAJ, 2019 WL 5962685 (W.D. Wash. Nov. 13, 2019))).

Bond Hearing Requirements

58. Where mandatory detention has become unreasonably prolonged, due process requires that Petitioner receive “a prompt and individualized bond hearing.” *See Banda*, 385 F. Supp. 3d at 1106.

59. At such a hearing, the Government must justify continued detention “by a showing of clear and convincing evidence that Petitioner would likely flee or pose a danger to the community if released.” *See Singh v. Holder*, 638 F.3d 1196, 1203 (9th Cir. 2011), abrogated on other grounds by *Jennings v. Rodriguez*, 583 U.S. 281 (2018); *see also Martinez v. Clark*, 124 F.4th 775, 785-86 (9th Cir. 2024).

CLAIMS FOR RELIEF

FIRST CAUSE OF ACTION

Fifth Amendment Due Process Violation Emanates From Prolonged Mandatory Detention Without Bond Hearing

60. Petitioner re-alleges and incorporates by reference paragraphs 1-59 above as if fully set forth herein.

- 1 61. Petitioner [REDACTED] has
2 remained continuously detained since on or about July 4, 2025—now
3 exceeding 9 months—without any individualized custody or bond hearing.
- 4 62. The Due Process Clause applies to noncitizens. *Yick Wo*, 118 U.S. at 369;
5 *Mathews*, 426 U.S. at 77-78; *Plyler*, 457 U.S. at 210; *Wong Wing*, 163 U.S. at
6 238.
- 7 63. *Thuraissigiam* does not foreclose this detention-based due process claim,
8 because *Thuraissigiam* addressed admission-related limits on review of
9 expedited removal screening rather than whether a person may be held for
10 an unreasonably prolonged period without an individualized custody
11 hearing. *See Padilla*, 704 F. Supp. 3d at 1171-72 (*Thuraissigiam* does not
12 foreclose bond-hearing due process claims); *Hernandez v. Wofford*, No. 25-
13 cv-986-KES-CDB HC, 2025 WL 2420390, at *3 (E.D. Cal. Aug. 21, 2025)
14 (same).
- 15 64. Courts have likewise emphasized that *Thuraissigiam* does not suggest
16 § 1225(b) detainees may be held “indefinitely and unreasonably with no
17 due process implications.” *A.L. v. Oddo*, 761 F. Supp. 3d at 825.
- 18 65. Whether § 1225(b) detention has become unreasonably prolonged is
19 assessed under a fact-intensive balancing test considering (1) length of
20 detention; (2) likely future duration; (3) conditions; (4) detainee-caused
21 delay; (5) government-caused delay; and (6) likelihood of a final removal
22 order. *Banda*, 385 F. Supp. 3d at 1106.
- 23 66. Applying these factors, Petitioner’s detention has become unreasonably
24 prolonged and arbitrary.
- 25 67. First, Petitioner has already been detained for over 9 months. Courts have
26 found detentions of similar and shorter duration without a bond hearing
27 weigh toward a finding that they are unreasonable. *See, e.g., Gao v. LaRose*,
28 No. 25-CV-2084-RSH-SBC, 2025 U.S. Dist. LEXIS 190572, at *10 (S.D. Cal.

Sept. 26, 2025) (over ten months); *Masood v. Barr*, No. 19-CV-07623-JD, 2020 U.S. Dist. LEXIS 4809, at *9 (N.D. Cal. Jan. 8, 2020) (nearly nine months); *Cabral v. Decker*, 331 F. Supp. 3d 255, 261 (S.D.N.Y. 2018) (over seven months); *Brissett v. Decker*, 324 F. Supp. 3d 444, 452 (S.D.N.Y. 2018) (over nine months).

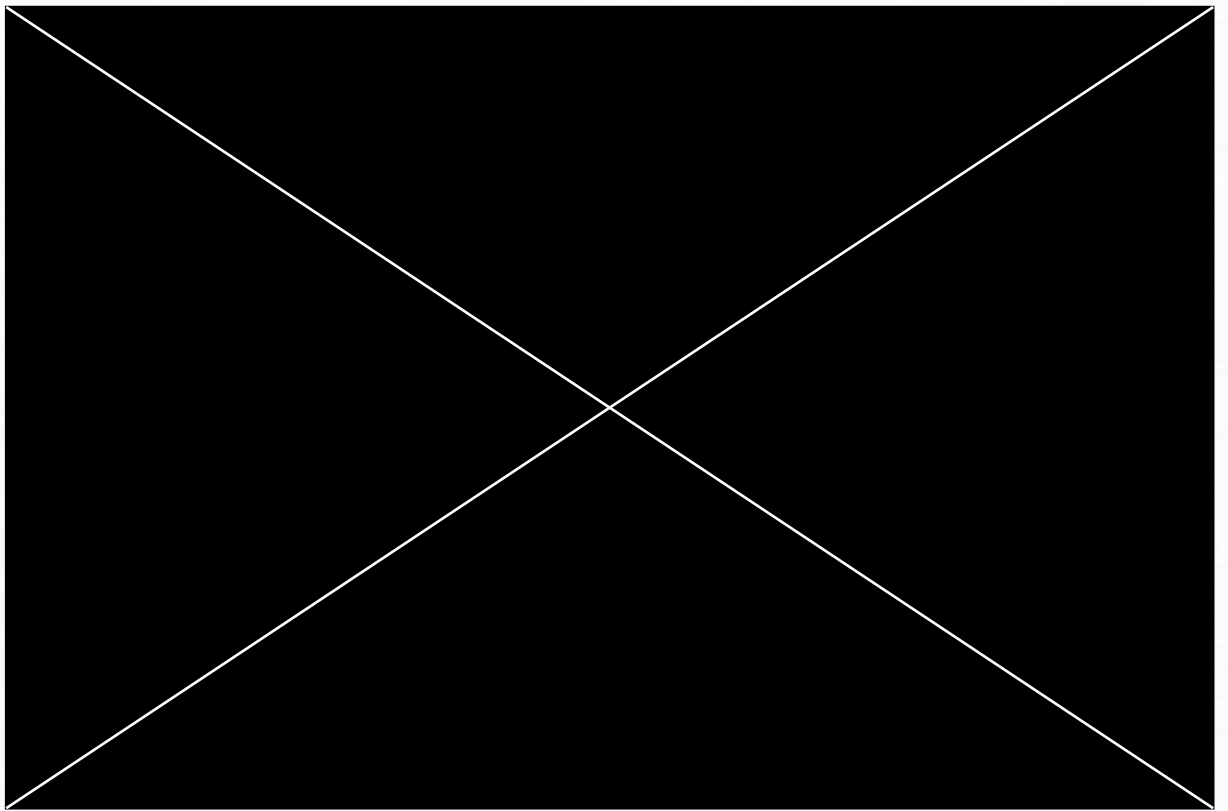
68. Second, there is no definite end to Petitioner's detention in sight. Petitioner's future detention can last several more months or even years during the adjudication of his appeal to the BIA and, if unfavorable, Petitioner's appeal to the Ninth Circuit. *See Banda*, 385 F. Supp. 3d at 1119 (finding an appeal to the BIA and subsequent judicial review "may take up to two years or longer").

69. Third, Petitioner is detained at the Otay Mesa Detention Center, a former state prison, which has a documented history of unsafe conditions and forced labor. *See* Exh. 8. Petitioner is confined with severe restrictions on his liberty and limited contact with the outside world. The conditions are punitive in nature, despite the civil character of immigration detention. Every day of Petitioner's prolonged detention takes an incalculable toll on his mental and physical health.

70. Fourth, Petitioner has not caused any delays in his proceedings. He appeared at every scheduled hearing, petitioned and won an advanced hearing due to his confinement conditions, and cooperated with the removal proceedings process throughout. *See* Exh. 5.

71. Fifth, future delays in Petitioner's proceedings will be attributable to the government, not Petitioner. Reliable information from a respected provider of *pro bono* immigration representation indicates that after a Notice of Appeal is filed with the BIA, briefing schedules can be delayed as much as 7 months and that is prior to any defined timeline for a decision.

1 72.



14 73. Accordingly, Petitioner does not have an administratively final removal
15 order and may likely prevail on his motion for reconsideration or a
16 subsequent appeal, if denied, and have his case remanded to the IJ for
17 further proceedings.

18 74. These factors overwhelmingly weigh in favor of finding Petitioner's
19 detention unreasonable and unconstitutional.

20 75. Due process therefore requires a prompt individualized bond hearing. *See*
21 *Banda*, 385 F. Supp. 3d at 1106.

22 76. At that hearing, the Government must justify continued detention by clear
23 and convincing evidence that Petitioner is a flight risk or danger. *Singh*, 638
24 F.3d at 1203.

25 77. By continuing to detain Petitioner without providing that prompt
26 individualized bond hearing with the Government bearing the clear-and-
27 convincing burden, Respondents are violating Petitioner's rights under the
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1 Fifth Amendment's Due Process Clause. *Banda*, 385 F. Supp. 3d at 1106;
2 *Singh*, 638 F.3d at 1203.

3 **SECOND CAUSE OF ACTION**

4 **Fifth Amendment Due Process Violation Caused by Arbitrary and**
5 **Unreasonable Government Delay**

6 78. Petitioner re-alleges and incorporates by reference paragraphs 1-59 above as
7 if fully set forth herein.

8 79. Petitioner has been detained  since on or
9 about July 4, 2025, and remains confined at Otay Mesa Detention Facility
10 while his motion for reconsideration and potential appeal remains pending
11 with no timeline for a decision.

12 80. Separate and apart from Petitioner's claim that prolonged mandatory
13 detention without a bond hearing violates due process, Petitioner alleges
14 here that Respondents and other government actors have affirmatively
15 prolonged his detention through avoidable administrative delay, rendering
16 continued confinement arbitrary and constitutionally unreasonable.

17 81. Government-caused delays are a central consideration in determining
18 whether continued detention has become constitutionally unreasonable. *See*
19 *Banda*, 385 F. Supp. 3d at 1106 (including "delays . . . caused by the
20 government" as a factor in assessing whether detention has become
21 unreasonably prolonged).

22 82. Petitioner has been detained for over 9 months, and the length of his
23 detention has been driven largely by government-caused delay rather than
24 any action by Petitioner. Again, even if Petitioner is successful in his motion
25 for reconsideration, the Government has reserved the right to appeal which
26 will result in indefinite detention as described *infra*.

27 83. These government-driven delays have directly extended Petitioner's civil
28 confinement under § 1225(b) while he has diligently pursued his claims and

1 complied with all obligations, transforming continued detention into an
2 arbitrary restraint on liberty in violation of the Fifth Amendment.

3 84. Because Petitioner's continued detention has been materially prolonged by
4 without any individualized justification tied to danger or flight risk—
5 Respondents are violating Petitioner's Fifth Amendment due process rights,
6 and habeas relief is warranted. *See Banda*, 385 F. Supp. 3d at 1106.

7 **PRAYER FOR RELIEF**

8 Petitioner asks this Court to grant the following relief:

- 9 1. Assume jurisdiction over this matter;
- 10 2. Order Respondents to show cause why the writ should not be granted
11 as to Petitioner within three days, and set a hearing on this Petition
12 within five days of the return, as required by 28 U.S.C. § 2243;
- 13 3. Enjoin Respondents from transferring Petitioner out of the jurisdiction
14 during the pendency of the habeas petition and subsequent bond
15 hearing if granted;
- 16 4. Issue a writ of habeas corpus requiring that Respondents immediately
17 release Petitioner from immigration custody;
- 18 5. Alternatively, order Respondents to provide a prompt individualized
19 bond hearing before a neutral adjudicator at which the Government
20 bears the burden by clear and convincing evidence. *See Singh*, 638
21 F.3d at 1203;
- 22 6. Enjoin Respondents from further detaining him without providing
23 notice to the Court and Petitioner's counsel, and a hearing at which
24 Respondents prove changed circumstances regarding his
25 dangerousness or risk of flight warrant his detention;
- 26 7. Declare that Petitioner's detention violates the Due Process Clause of
27 the Fifth Amendment. *See Kydyrali*, 499 F. Supp. 3d at 772-74; and
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8. Grant such further relief as this Court deems just and proper.

Dated: April 9, 2026

Respectfully submitted,

SOPHIA ROACH

Pro Bono Counsel for Petitioner

TABLE OF EXHIBITS

Exhibit 1:



Exhibit 2: Form I-862, Notice to Appear, dated August 12, 2025 (Redacted)

Exhibit 3: Oral Decision Immigration Judge, dated March 25, 2026 (Redacted)

Exhibit 4: Pending Motion for Reconsideration (Redacted)

Exhibit 5: Declaration of Sophia Roach

Exhibit 6: Motion to Advance Hearing: Facts regarding confinement (Redacted)

Exhibit 7: Sponsorship Letter (Redacted)

Exhibit 8: Report on Otay Mesa Detention Center

**VERIFICATION BY SOMEONE ACTING ON PETITIONER'S BEHALF
PURSUANT TO 28 U.S.C. § 2242**

I represent Petitioner Mr. Reza Julysaravi in these habeas corpus proceedings. I am submitting this verification on behalf of Petitioner because I am his attorney. I have reviewed with Petitioner the events described in this petition. Based on those discussions, I hereby verify that the information contained in the foregoing petition is true and correct to the best of my knowledge and belief.

Dated: April 9, 2026

Respectfully submitted,

SOPHIA ROACH

Pro Bono Counsel for Petitioner