

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

Hector Daniel Sandoval-Ruan

Petitioner

v.

John Archambeault


Respondent

(name of warden or authorized person having custody of petitioner)

Case No. '26CV2358 RBM BJW
(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: Hector Daniel Sandoval-Ruan
- (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: 
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)

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- 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 Detention Center

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

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

(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: Otay Mesa Detention Center

(2) Date of filing: 03/31/2026

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

(4) Result: Denied

(5) Date of result: 04/01/2026

(6) Issues raised: Requested release on humanitarian parole due to pending removal proceedings before an Immigration Court and ongoing severe health problems.

(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

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(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: Immigration Judges lack authority to hear bond requests or to grant bond to aliens who are present in the United States without admission. INA 235(b)(2)(A), 8 U.S.C. § 1225(b)(2)(A)

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

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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: 03/11/2026
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

- Yes No

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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: _____
- (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: _____

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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: See attached.

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 Do not cite cases or law.)*:

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

Yes No

GROUND TWO:

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 Do not cite cases or law.)*:

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

Yes No

GROUND THREE:

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 Do not cite cases or law.)*:

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

Yes No

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GROUND FOUR:

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

(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: Order Respondents to immediately release petitioner from immigration detention, or in the alternative order Petitioner's release unless Respondents provide him with a bond hearing.

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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: 04/14/2026

/s/ Sanjay Sobti

Signature of Petitioner

/s/ Sanjay Sobti

Signature of Attorney or other authorized person, if any

1 U.S. LAW CENTER
2 Sanjay Sobti, Esq. SBN: 202636
3 4230 Green River Rd.
4 Corona, CA 92878
5 Ph. (951) 371-0027
6 Email: uslawcorona@gmail.com
7 Counsel for Petitioner

8 **IN THE UNITED STATES DISTRICT COURT**
9 **FOR THE SOUTHERN DISTRICT OF CALIFORNIA**

10 Hector Daniel Sandoval-Ruan,
11 

Case No: '26CV2358 RBM B JW

12 **Petitioner,**

**PETITION FOR WRIT OF HABEAS CORPUS
AND COMPLAINT FOR ADMINISTRATIVE
PROCEDURE ACT RELIEF**

13 vs.

14 John Archambeault, San Diego
15 Field Office Director, Enforcement
16 and Removal Operations, United
17 States Immigration and Customs
Enforcement (ICE);

18 Christopher J. Larose, Senior Warden,
19 Otay Mesa Detention Center;
20 Markwayne Mullin, Secretary, United
21 States Department of Homeland
Security;

22 Todd Blanche, Acting Attorney General
23 Of the United States; Executive
For Immigration Review (EOIR);

24 Daren K. Margolin, Acting Director,
25 EOIR; Imperial Regional Detention
26 Facility;

27 Respondents.
28

INTRODUCTION

1. Petitioner Hector Daniel Sandoval-Ruan (“Petitioner”) respectfully petitions this Court for a writ of habeas corpus pursuant to 28 U.S.C. § 2241, seeking immediate release from immigration detention or, in the alternative, a constitutionally adequate bond hearing.
2. Petitioner is currently detained at the Otay Mesa Detention Center in San Diego, California. His continued detention violates the Due Process Clause of the Fifth Amendment because it lacks an individualized determination that he poses a danger to the community or a flight risk.
3. Petitioner suffers from life-threatening medical conditions, including alcoholic cirrhosis of the liver with ascites and hepatic encephalopathy, and is currently on a liver transplant waiting list. Continued detention places his life at significant risk and is excessive in relation to the government’s regulatory interests.
4. Petitioner has no criminal history, has resided in the United States for approximately thirty years, and is the father of three United States citizen children. He poses neither a danger to the community nor a flight risk.
5. Petitioner is currently in ongoing removal proceedings and has not received a constitutionally adequate bond hearing. Accordingly, his detention is governed by 8 U.S.C. § 1226(a). Even if the government asserts detention under 8 U.S.C. § 1225(b), due process requires an individualized custody determination once detention becomes unreasonable.
6. Petitioner seeks:
 - a. Immediate release from custody; or

1 b. In the alternative, an expedited bond hearing before a neutral immigration judge at
2 which the government bears the burden of proving by clear and convincing evidence that
3 continued detention is justified.
4


5
6 **JURISDICTION AND VENUE**

7 7. This Court has jurisdiction under 28 U.S.C. §§ 2241 and 1331, as well as the
8 Suspension Clause, U.S. Const. art. I, § 9, cl. 2.

9
10 8. The Court has authority to grant declaratory and injunctive relief pursuant to 28 U.S.C.
11 §§ 2201–2202 and the All Writs Act, 28 U.S.C. § 1651.

12
13 9. Venue is proper in the Southern District of California under 28 U.S.C. § 1391(e)
14 because Petitioner is detained within this District and Respondents perform their
15 official duties here.
16

17 **PARTIES**

18 10. Petitioner, Hector Daniel Sndova-Ruan  is a 55-year-old native and
19 citizen of Mexico who is currently detained at the Otay Mesa Detention Center in San
20 Diego, California.

21 11. Respondent John Archambeault is the Field Office Director for ICE Enforcement and
22 Removal Operations (ERO) in San Diego, California. He is Petitioner's immediate
23 custodian, responsible for his detention at Otay Mesa Detention Center and the person
24 with the authority to authorize his detention or release. Respondent Archambeault is sued
25 in his official capacity.
26

27 12. Respondent Christopher J. LaRose is the Senior Warden of the Otay Mesa Detention
28 Center, oversees the day-to-day functioning of the facility, and has immediate physical

1 custody of Petitioner pursuant to a contract with ICE to detain noncitizens. Mr. LaRose is
2 sued in his official capacity as the Warden of a federal detention facility.

3
4 13. Respondent Markwayne Mullin is the Secretary of the Department of Homeland Security.
5 As Secretary, he oversees the federal agency responsible for implementing and enforcing
6 the INA, including the detention of noncitizens. He is sued in his official capacity.

7
8 14. Respondent Department of Homeland Security (DHS) is the federal agency responsible
9 for implementing and enforcing the INA, including the detention of noncitizens.

10
11 15. Respondent Todd Blanche is the Acting Attorney General of the United States and head
12 of the U.S. Department of Justice. In that capacity, he oversees EOIR and the
13 immigration court system the agency administers. He is ultimately responsible for the
14 agency's operation. He is sued in his official capacity.

15
16 16. Respondent EOIR is a component agency of the Department of Justice responsible for
17 conducting removal and bond hearings of noncitizens. EOIR is comprised of a lower
18 adjudicatory body administered by IJs and an appellate body known as the Board of
19 Immigration Appeals. IJs issue initial decisions in bond hearings, which are then subject
20 to appeal to the BIA. 15. Respondent Darren K. Margolin is the Director of EOIR
21 and has ultimate responsibility for overseeing the operation of the immigration courts and
22 the Board of Immigration Appeals, including bond hearings. He is sued in his official
23 capacity.

24
25 17. The Otay Mesa Immigration Court is the adjudicatory body within EOIR with
26 jurisdiction over the removal and bond cases of all individuals detained at the Otay Mesa
27 Detention Center.

28 **FACTUAL ALLEGATIONS**

1 18. Petitioner entered the United States in or about 1995 and has resided here continuously
2 for approximately thirty years.

3 19. Petitioner has three United States citizen children and significant family and community
4 ties in the United States.

5 20. Petitioner has no criminal history and has consistently demonstrated good moral
6 character.

7 21. On or about March 11, 2026, Petitioner was taken into ICE custody and has remained
8 detained at the Otay Mesa Detention Center since that time.

9 22. Petitioner is currently in removal proceedings before the Otay Mesa Immigration Court
10 and has a scheduled hearing on April 29, 2026.

11 23. Petitioner fears returning to Mexico and is in the process of pursuing asylum and related
12 protection.

13 24. Petitioner suffers from severe medical conditions, including cirrhosis of the liver with
14 ascites, hepatic encephalopathy; and he is currently on a waitlist to receive a liver
15 transplant. (see attached medical records)

16 20. On or about April 1, 2026, Petitioner required hospitalization due to his deteriorating
17 medical condition.

18 21. Petitioner's continued detention jeopardizes his health and survival, as detention facilities
19 are ill-equipped to provide the specialized and continuous care he requires.

20 22. Petitioner poses no danger to the community and no risk of flight, particularly given his
21 longstanding residence, family ties, and serious medical condition.

22 **LEGAL FRAMEWORK**

23 **A. Statutory Basis for Detention**
24
25
26
27
28

1 23. Because Petitioner is detained during ongoing removal proceedings, his custody is
2 governed by 8 U.S.C. § 1226(a), which authorizes release on bond or conditional parole.

3 24. Even if the government asserts that Petitioner is detained under 8 U.S.C. § 1225(b), the
4 Constitution requires an individualized custody determination once detention becomes
5 unreasonable. See *Rodriguez v. Marin*, 909 F.3d 252 (9th Cir. 2018).
6

7 **B. Due Process Requirements**

8 25. The Fifth Amendment’s Due Process Clause prohibits civil immigration detention that is
9 excessive in relation to its regulatory purpose. See *Zadvydas v. Davis*, 533 U.S. 678, 690
10 (2001).
11

12 26. In the Ninth Circuit, due process requires a constitutionally adequate bond hearing when
13 detention becomes unreasonable, at which the government bears the burden of proving by
14 clear and convincing evidence that the noncitizen poses a danger or flight risk. See *Singh*
15 *v. Holder*, 638 F.3d 1196, 1203–05 (9th Cir. 2011).
16

17 27. Prolonged detention without such procedural protections violates substantive and
18 procedural due process. See *Kydyrali v. Wolf*, 499 F. Supp. 3d 768, 772–73 (S.D. Cal.
19 2020).
20

21 **C. Medical Vulnerability and Substantive Due Process**

22 28. Civil detention becomes punitive when it endangers an individual’s health or is excessive
23 in relation to its purpose. See *Jones v. Blanas*, 393 F.3d 918, 934 (9th Cir. 2004).

24 29. Courts have recognized that medically vulnerable detainees may be entitled to release
25 where detention poses a substantial risk of serious harm. See *Fraihat v. ICE*, 445 F. Supp.
26 3d 709 (C.D. Cal. 2020).
27
28

CLAIMS FOR RELIEF

COUNT I

Violation of Fifth Amendment – Procedural Due Process

30. Petitioner realleges and incorporates the preceding paragraphs.

31. Petitioner’s continued detention without a constitutionally adequate bond hearing violates the Fifth Amendment.

32. Due process requires an individualized determination of whether detention is justified, with the government bearing the burden of proof by clear and convincing evidence.

33. Respondents’ failure to provide such a hearing renders Petitioner’s detention unlawful.

COUNT II

Violation of the Fifth Amendment – Substantive Due Process

34. Petitioner’s detention is excessive and punitive in relation to the government’s regulatory interests.

35. Petitioner’s life-threatening medical conditions render continued detention unreasonable and constitutionally impermissible.

36. Less restrictive alternatives to detention, such as release on bond or conditions of supervision, would adequately serve the government’s interests.

COUNT III

Declaratory and Injunctive Relief

37. An actual and ongoing controversy exists between the parties regarding the legality of Petitioner’s detention.

38. Petitioner is entitled to declaratory relief under 28 U.S.C. § 2201 and injunctive relief prohibiting Respondents from continuing his unlawful detention.

PRAYER FOR RELIEF

WHEREFORE, Petitioner respectfully requests that this Court:

1. Assume jurisdiction over this action;
2. Issue a writ of habeas corpus ordering Petitioner's immediate release from immigration detention;
3. In the alternative, order Respondents to provide Petitioner with a constitutionally adequate bond hearing within seven (7) days, before a neutral immigration judge, at which:
 - o The government bears the burden of proving by clear and convincing evidence that Petitioner poses a danger or flight risk; and
 - o The immigration judge considers Petitioner's medical vulnerability and ability to pay bond;
4. Enjoin Respondents from further detaining Petitioner absent such a constitutionally adequate hearing;
5. Declare that Petitioner's continued detention violates the Fifth Amendment;
6. Award reasonable attorneys' fees and costs pursuant to the Equal Access to Justice Act, 28 U.S.C. § 2412; and
7. Grant such other and further relief as the Court deems just and proper.

EXPEDITED CONSIDERATION

Given Petitioner's severe and life-threatening medical conditions, he respectfully requests expedited consideration of this Petition and prompt issuance of an Order to Show Cause pursuant to 28 U.S.C. § 2243.

1 Date: April 14, 2026

2 Respectfully submitted,

3
4 /s/ Sanjay Sobti

5 Sanjay Sobti (SBN 202636)
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