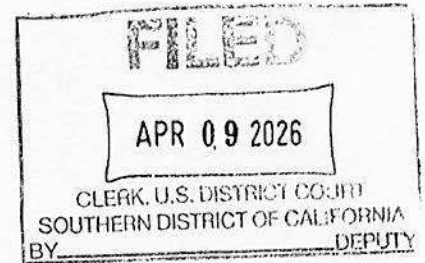


PETITION FOR WRIT OF HABEAS CORPUS
(28 U.S.C. § 2241)

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
333 West Broadway, Suite 420
San Diego, California 92101



LILIANA DE LOS ANGELES CORTES OCHOA,

'26CV2284 AGS DEB


Petitioner,

v.

DIRECTOR, OTAY MESA DETENTION CENTER,
SECRETARY OF THE DEPARTMENT OF HOMELAND SECURITY,
DIRECTOR OF U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE), et al.,
Respondents.

PETITION FOR WRIT OF HABEAS CORPUS

I. INTRODUCTION

Petitioner, Liliana de los Angeles Cortes Ochoa, respectfully submits this Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging her prolonged and unconstitutional detention by immigration authorities.

Petitioner has been continuously detained since October 1, 2025, when she presented herself to U.S. immigration authorities seeking entry into the country. Her immigration case is currently pending on appeal before the Board of Immigration Appeals (BIA).

Her continued detention, which has now extended for more than six months without a constitutionally adequate bond hearing, violates the Due Process Clause of the Fifth Amendment.

Additionally, Petitioner 

 requires specialized medical, psychiatric, and neurological care that cannot be adequately provided in detention.

II. JURISDICTION

This Court has jurisdiction pursuant to:

28 U.S.C. § 2241

28 U.S.C. § 1331

U.S. Constitution, Article I, Section 9 (Suspension Clause)

Venue is proper in this District because Petitioner is detained at:

Otay Mesa Detention Center

7488 Calzada de la Fuente

San Diego, CA 92154

III. PARTIES

Petitioner is currently detained by U.S. Immigration and Customs Enforcement (ICE). Respondents include the Director of the Otay Mesa Detention Center and other officials of the Department of Homeland Security responsible for her custody.

IV. STATEMENT OF FACTS

Petitioner is a citizen of Colombia and a single mother of two minor daughters.

She previously resided in the United States as a law-abiding individual:

She has no criminal history

She lived openly within the community

She complied with all legal obligations

Petitioner was forced to return temporarily to Colombia due to a serious situation involving the safety of one of her daughters.

Upon returning to Colombia, the individuals who had previously threatened her resumed their threats. Petitioner was physically assaulted and threatened with death.

In March 2025, she attempted to enter the United States but was denied entry and immediately returned to Colombia without the opportunity to appear before an immigration judge.

Following her return, the violence escalated. She was beaten again and received death threats, forcing her to flee once more.

During her transit through Mexico, Petitioner suffered an extremely serious assault, 

 by individuals who were supposed to assist her in crossing into the United States.

On October 1, 2025, Petitioner entered the United States in the context of her urgent flight due to a well-founded fear for her life and safety. During her entry, she was encountered by immigration authorities.

From the moment she came into contact with authorities, Petitioner expressed her fear of returning to Colombia and her intention to seek protection, including reporting 

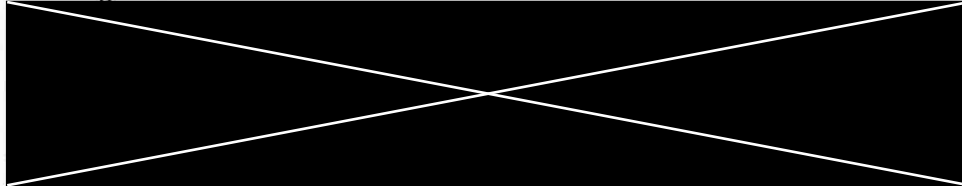

She was subsequently issued a Notice to Appear (Form I-862) and placed in removal proceedings.

Petitioner's asylum application was denied by an Immigration Judge on February 5, 2026. She timely appealed to the Board of Immigration Appeals on March 4, 2026, and that appeal remains pending.

Petitioner has remained continuously detained since October 1, 2025.

V. CONDITIONS OF DETENTION AND MEDICAL FACTORS

During her detention, Petitioner has suffered multiple medical and psychological conditions, including:



Her continued detention exacerbates these conditions and places her physical and mental health at risk.

VI. DETENTION HISTORY

Petitioner has been detained since October 2025.

Her immigration case is currently pending before the BIA with no defined timeline for resolution.

As a result, her detention has become:

Prolonged

Indefinite

Constitutionally unreasonable

VII. LEGAL ARGUMENT

A. PROLONGED DETENTION VIOLATES THE FIFTH AMENDMENT

Under the Due Process Clause, civil immigration detention must be reasonable in duration.

Prolonged detention without meaningful review is unconstitutional.

B. LACK OF A CONSTITUTIONALLY ADEQUATE BOND HEARING

Petitioner has not received a hearing that satisfies constitutional requirements:

Neutral decision-maker

Individualized assessment

Burden of proof on the government

C. PETITIONER IS NEITHER A DANGER NOR A FLIGHT RISK

Petitioner:

Has no criminal history

Lived lawfully within the community

Previously departed the country voluntarily

Has community support

D. DETENTION DURING APPEAL IS UNREASONABLE

Petitioner remains detained while her case is on appeal, creating:

Risk of indefinite detention

Prolonged deprivation of liberty

E. NINTH CIRCUIT CASE LAW

Relevant cases include:

Zadvydas v. Davis

Diouf v. Napolitano

Casas-Castrillon v. DHS

Rodriguez v. Robbins

Singh v. Holder

VIII. CONSTITUTIONAL VIOLATIONS

A. Fifth Amendment – Due Process

Petitioner has been deprived of liberty without:

Adequate hearing

Individualized determination
Sufficient procedural safeguards

B. Substantive and Procedural Due Process
The government has failed to provide fundamental fairness.

C. PROHIBITION OF INDEFINITE DETENTION
Civil immigration detention cannot become punitive or indefinite.

D. SUSPENSION CLAUSE
Petitioner's right to meaningful judicial review has been violated.

E. FOURTH AMENDMENT (LIMITED)
There are concerns regarding unreasonable detention.

IX. IRREPARABLE HARM
Petitioner is suffering:



Lack of adequate medical care
Risk of irreversible harm

X. REQUEST FOR RELIEF
Petitioner respectfully requests that this Court:
Declare her detention unlawful;
Order that she not be transferred while this case is pending;
Order her immediate release; OR
Order an individualized bond hearing before an immigration judge where the Government bears the burden of proving detention is necessary;
Grant any other relief the Court deems just and proper.

XII. VERIFICATION
I, Liliana de los Angeles Cortes Ochoa, declare under penalty of perjury that the foregoing is true and correct.

Respectfully submitted,

Liliana Cortes

Liliana de los Angeles Cortes Ochoa
Pro Se



Otay Mesa Detention Center
7488 Calzada de la Fuente
San Diego, CA 92154
Dated: 04-05-2026

XIII.CERTIFICATE / PROOF OF SERVICE

I certify that on 04-05-2026, I served a true and correct copy of this Petition upon:

U.S. Attorney – Southern District of California
880 Front Street, Room 6293
San Diego, CA 92101

Secretary of Homeland Security
2707 Martin Luther King Jr. Ave SE
Washington, DC 20528

Director, U.S. Immigration and Customs Enforcement
500 12th Street SW
Washington, DC 20536

ICE – OPLA San Diego
880 Front Street, Suite 2246
San Diego, CA 92101

Director, Otay Mesa Detention Center
7488 Calzada de la Fuente
San Diego, CA 92154

Liliana Cortes

Liliana de los Angeles Cortes Ochoa
Pro Se



Dated: 04-05-2026

Location: Otay Mesa Detention Center
7488 Calzada de la Fuente
San Diego, CA 92154

DEPARTMENT OF HOMELAND SECURITY
NOTICE TO APPEAR

In removal proceedings under section 240 of the Immigration and Nationality Act:
Subject ID: [REDACTED] FINS #: [REDACTED] File No: [REDACTED]
DOB: [REDACTED] Event No: [REDACTED]
In the Matter of: LILIANA DE LOS ANGELES CORTES OCHOA
Respondent: [REDACTED] currently residing at:
[REDACTED]
(Number, street, city, state and ZIP code) (Area code and phone number)

- ☐ You are an arriving alien.
☒ You are an alien present in the United States who has not been admitted or paroled.
☐ You have been admitted to the United States, but are removable for the reasons stated below.

The Department of Homeland Security alleges that you:

1. You are not a citizen or national of the United States;
2. You are a native of COLOMBIA and a citizen of COLOMBIA ;
3. You arrived in the United States at or near SAN YSIDRO, CA , on or about July 22, 2023 ;
4. You were not then admitted or paroled after inspection by an Immigration Officer.

On the basis of the foregoing, it is charged that you are subject to removal from the United States pursuant to the following provision(s) of law:

212(a)(6)(A)(i) of the Immigration and Nationality Act, as amended, in that you are an alien present in the United States without being admitted or paroled, or who arrived in the United States at any time or place other than as designated by the Attorney General.

- ☐ This notice is being issued after an asylum officer has found that the respondent has demonstrated a credible fear of persecution or torture.
☐ Section 235(b)(1) order was vacated pursuant to: ☐ 8CFR 208.30 ☐ 8CFR 235.3(b)(5)(iv)

YOU ARE ORDERED to appear before an immigration judge of the United States Department of Justice at:

1961 STOUT STREET, STE. 3101 DENVER CO 80294

(Complete Address of Immigration Court, including Room Number, if any)

on May 29, 2024 at 01:00 PM to show why you should not be removed from the United States based on the
(Date) (Time)

charge(s) set forth above.

ACTING WATCH COMMANDER

(Signature and Title of Issuing Officer) (Sign in ink)

Date: July 22, 2023

San Diego, California

(City and State)