

FILED

APR 10 2026

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DOE DEPUTY

Rixion Enrique Martinez-Tobias

NAME

PRISON NUMBER

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

1572 Gateway Rd

ADDRESS

Calexico, Ca 92231

United States District Court
Southern District Of California

Rixion Enrique Martinez-Tobias

(FULL NAME OF PETITIONER)

Petitioner

v.

Warden Jeremy Casey

(NAME OF WARDEN, SUPERINTENDENT, JAILOR, OR AUTHORIZED
PERSON HAVING CUSTODY OF PETITIONER, E.G. PAROLE OFFICER)

Respondent

and

The Attorney General of the State of
California, Additional Respondent.

Civil No.

'26CV2315 BJC BLM

(TO BE FILLED IN BY CLERK OF U.S. DISTRICT COURT)

PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2241

1. 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 or case number (if you know): _____

(c) Date of sentencing: _____

☒ Being held on immigration charge

☐ Other (explain): _____

2. Are you currently being held on orders by:

☒ Federal authorities ☐ State authorities ☐ Other - explain:

Immigration officials / DHS

3. What are you challenging in this petition:

☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities

☐ Pretrial detention

☒ Immigration detention

☐ Detainer

☐ The validity of your conviction or sentence as imposed

☐ Disciplinary proceedings

☐ Other (specify): _____

4. Provide more information about the decision or action you are challenging:

(a) Name and location of the court or agency: Imperial Immigration Court
2409 La brucherie road, Imperial, Ca 92251

(b) Case number, docket number or opinion number (if you know): 

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): The decision to detain me on 2/2/2026

(d) Date of the decision or action: Decision to detain me on 2/2/2026

5. Did you appeal the decision, file a grievance or seek an administrative remedy?

☐ Yes ☒ No

(a) If your answer to 5 was "Yes," give the following information:

(1) Name of court, agency or authority: _____

(2) Date of filing: _____

(3) Case number, docket number or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) If your answer to 5 was "No," explain why you did not appeal: I am raising a due process challenge which has serious implications for my liberty interest

6. After the first appeal, did you file a second appeal to a higher authority, court or agency?

☐ Yes ☒ No

- (a) If your answer to 6 was "Yes," give the following information:

- (1) Name of court, agency or authority: _____
- (2) Date of filing: _____
- (3) Case number, docket number or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

- (b) If your answer to 5 was "No," explain why you did not appeal: I am raising a due process challenge which has serious implications for my liberty interest

7. After the second appeal, did you file a third appeal to a higher authority, agency or court?

☐ Yes ☒ No

- (a) If your answer to 7 was "Yes," give the following information:

- (1) Name of court, agency or authority: _____
- (2) Date of filing: _____
- (3) Case number, docket number or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) If your answer to 7 was "No," explain why you did not appeal: I am raising a due process challenge which has serious implications for my liberty interest

8. State *concisely* every ground on which you claim that you are being held in violation of the constitution, law or treaties of the United States. Summarize *briefly* the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting same.

CAUTION: In order to proceed in the federal court, you must ordinarily first exhaust your available court remedies as to each ground on which you request action by the federal court. Moreover, if you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.

You should raise in this petition *all* available grounds on which you base your allegations that you are being held in custody unlawfully.

GROUND ONE: I am not a flight risk nor am I a danger to society.

(a) Supporting FACTS (state *briefly* without citing cases or law)

I have a sponsor who will ensure that I will attend all of my Immigration Court hearings. My sponsor is willing to accommodate me throughout my Immigration Court proceedings. In addition, my sponsor will ensure that I have a place to stay and will provide me with clothing and food.

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

☐ Yes ☒ No

GROUND TWO: I am entitled to due process under the law

(a) Supporting FACTS (state *briefly* without citing cases or law):

It is well-settled that the fifth Amendment entitles aliens to due process in deportation proceedings. The due process clause applies to all persons within the United States including aliens whether their presence here is lawful, unlawful, temporary or permanent. As it specifically relates to my case, the arrest that occurred on 2/2/2026 has deprived me of my liberty interest. I was driving on my way to work here in California when I was stopped by 3 vehicles. Five men came out of the cars and they arrested me. This arrest violates my due process right as I was already on parole residing in California

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

☐ Yes ☒ No

GROUND THREE: There is no significant likelihood of my release and my current detention is inhumane. The condition here is horrible.

(a) Supporting FACTS (state briefly without citing cases or law):

The conditions of my confinement have been affecting me psychologically, physically and mentally. Suffice it to say that the conditions of my detention are similar to penal confinement. We are restricted to outdoor spaces in very inhumane conditions, mostly being watched over by guards behind barbed-wired fences. We are forbidden from using the Internet and our visitations are very restricted.

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

☐ Yes ☒ No

GROUND FOUR: My arrest has deprived me of not only my liberty interest but my job

(a) Supporting FACTS (state briefly without citing cases or law):

I was gainfully employed in California since I was released on parole upon legally entering the United States under CBP. I had an ICE interview following which I was released on Parole under conditions set by ICE. I was not provided notice or an opportunity to contest my arrest on 2/2/2026. Please judge release me because ICE violated my rights. I pray you help me out from this tragic event. Thank you.

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

☐ Yes ☒ No

9. If any of the grounds listed in 4A, B, C, and D were not previously presented in any other court, state or federal, state briefly what grounds were not presented, and give your reasons for not presenting them:

None of these grounds were presented to any state or federal Court. Petitioner is presenting these grounds for the first time to this Court

10. Do you have any petition or appeal now pending in any court, either state or federal, as to the execution of sentence under attack?

☐ Yes ☒ No

11. Give the name and address, if known, of each attorney who represented you in the following stages of the execution of sentence attacked herein:

(a) In any post-conviction proceeding

N/A

(b) On appeal from any adverse ruling in a post-conviction proceeding

N/A

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding.

I pray that this court grant me release or
in the alternative grant me bond in front of
the Immigration Judge.

SIGNATURE OF ATTORNEY (IF ANY)

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

4-7-2026

(DATE)

SIGNATURE OF PETITIONER