

Yaovi Ena Kotse

NAME

PRISON NUMBER

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

1572 Gateway Rd

ADDRESS

Calexico, California 92231

FILED

APR 10 2026

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

United States District Court
Southern District Of California

Yaovi Ena Kotse

(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.

'26CV2316 JES MMP

Civil No.

(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 Detention

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): Parole/Bond

(d) Date of the decision or action: I sent two letters with no response
from the Warden nor my ICE officer (Exhibit A & B)

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 did not
appeal because it would be futile

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 6 was "No," explain why you did not appeal: I did not appeal
because it would be futile

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 did not appeal because it would be futile

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.

GROUND ONE: I have been detained for over 6 months
and my detention up to date is 15 months

The approach adopted by the United States Court of Appeals for the Ninth Circuit, is to apply a bright-line rule to cases of mandatory detention authority is limited to a 6-months period subject to a finding of flight risk or dangerousness

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

☐ Yes ☒ No

GROUND TWO: I am not a flight risk or danger to the society

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

I have a sponsor who will ensure that I will attend all my immigration court hearings and has been here in the United States for years. My sponsor is law abiding and is willing to accommodate me through out my Immigration court hearing

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

☐ Yes ☒ No

GROUND THREE: I am entitled to due process under the fifth amendment of the United States Constitution

(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 person within the United States, including aliens, whether their presence here is lawful, unlawful, temporary or permanent. More than a decade ago, in the Zadvydas decision the United States Supreme Court signed its concerns about the constitutionality of a statutory scheme that ostensibly authorized indefinite detention of non-citizens. Two years later, when the court upheld the constitutionality of 8 U.S.C. § 1226(c) in the Demore decision it emphasized that, for detention under the statute to be reasonable it must be for a brief period of time. Justice Kennedy explained in his concurrence in the Demore decision that were there to be an unreasonable delay by the Immigration and Naturalization Service in pursuing and completing deportation proceedings, it could become necessary then to inquire whether the detention is not to facilitate deportation or to protect against risk of flight or dangerousness but to incarcerate for other reasons

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

☐ Yes ☒ No

GROUND FOUR: There is no significant likelihood
of my removal in the near future

(a) Supporting FACTS (state briefly without citing cases or law): The duration
of my current detention has been
unreasonably prolonged. I have been in
detention now for 15 months. There is a
reason to anticipate significant future
detention during my immigration
proceedings. Even if I receive an
adverse decision in my appeal which
has been pending now for 8 months
with no decision, I intend to appeal to
the ninth circuit which could take about
another year or even two years in total.
My detention currently is excessive and
there is a significant likelihood of further
prolonged detention

Conditions of Confinement. The conditions of
confinement are similar to penal confinement. We
stay behind barbed wire fences when we go out, forbidden
to internet access and cannot ~~communicate~~ with loved ones

(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. Peltaner 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 request release or 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

4-6-2026

(DATE)



SIGNATURE OF PETITIONER

EXHIBIT 7 A

Yaovi ena Kotse



1572 Gateway Road
Calexico, California, 92231

Ice Officer Herrera

1564 Gateway road
Calexico, California 92231

Re: Request for Release from Immigration Custody

Accept my warm greetings and wishing you a prosperous new year 2026 to you and your family. I have had a prolonged stay in detention center here at the Imperial Regional detention facility in Calexico, California since Jan 4, 2025 to present date. I kindly request for your assistance to be released due to my prolonged stay in detention now for more than 13 months. I am not a flight risk and have ties to the United States including my sponsor, who is a United States citizen who is willing to sponsor me and house me for the duration of my removal proceedings. My sponsor happens to be my sister and her name is Kotse Afi Yessunale. She will ensure that I will attend all scheduled hearings in Immigration Court and that I will report to ICE at anytime an Ice officer demands my appearance at a field office. I am not also a danger to the community and not a threat to US National security. All these can be verified from my background checks. Thanks in advance for your prompt response to this matter.

Yours Sincerely,

Yaovi ena Kotse



3/6/2026

EC 4113713
Yaovi ena Kotse



1572 Gateway Road
Calexico, California, 92231

Warden Jeremy Casey
1572 Gateway road
Calexico, California 92231

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Yours Sincerely,

Yaovi ena Kotse



3/6/2026

CLERK OF THE COURT

333 W. Broadway, Suite 420

San Diego, California 92101

Yaovi Ena Kotse

1572 Gateway Rd

Calexico, California 92231

Re : Please file my Habeas Petition

Attached is my habeas petition, included in the petition are three Exhibits namely Exhibit A, Exhibit B. Also attached is a motion to appoint counsel. I have also attached a copy an application to proceed in the District court without prepaying fees or costs. Please file with the court. Thank you.

Respectfully submitted,

Yaovi Ena Kotse

