

Paulina Marrero Suarez

NAME

PRIS

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

1572 Gateway Road, Calexico, CA 92231

ADDRESS

FILED

APR 13 2026

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

United States District Court
Southern District Of California

Paulino Marrero Saurez

(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. '26CV2332 BTM GC

(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: Immigration Court of Imperial
2409 La Brucherie Road Imperial CA 92251
- (b) Case number, docket number or opinion number (if you know): [REDACTED]
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): Bond or conditional parole
- (d) Date of the decision or action: _____
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 actually sent a letter to my deportation officer for my release from detention but I did not receive any response

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 sent a letter to my deportation officer for my release from detention but I did not get any response from him. Any further appeal 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: _____

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: Unlawfully detained under the wrong statutory authority.

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

I Petitioner, claim "I am being unlawfully detained under the wrong statutory authority" and that I am entitled to a bond hearing based on my membership in the Bond Eligible class in "Bautista v. Santacruz". I was unlawfully and illegally arrested. On February 24, 2026, I was traveling from Arizona to California for work. I was arrested by Immigration and Customs Enforcement (I.C.E) agents questioning me on a warrant of arrest. I never committed any crime my entire years in the United State. I am gainfully employed and I am a law abiding person. I pay taxes and I have never committed any crime in the United State or any part of the world.

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

☐ Yes ☐ No

GROUND TWO:

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

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

☐ Yes ☒ No

GROUND THREE: My detention has become unconstitutional prolonged and violates the fifth Amendment of the 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 persons 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 signaled 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 I did not file any appeals

GROUND FOUR: There is no significant likelihood of my removal from detention in the near future and I am not a flight Risk.

(a) Supporting FACTS (state briefly without citing cases or law): Petitioner, a national of Cuba, entered the United State without inspection on or around December 2 2019, Petitioner was arrested on February 24 2026 while traveling from Arizona to California for work. Since then Petitioner has been detained in Imperial Regional Detention Facility. Petitioner alleges that he has no criminal record, has cooperated with DHS and he is not a flight Risk. Petitioner entered the United States on December 2 2019, applied for political asylum in 2021. Once Petitioner I-589 application was received, his attorney then applied for a work permit and a social security number which was received by the Petitioner. Which each expires in two years time, My lawyer then renewed it after it expired and it was renewed for 5 years which means it now expires in 2029. Since I submitted my application, I have had only one master hearing, which was then indefinitely postponed. Five years have passed without me being given a new court date.

(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 ground 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. Specifically, Petitioner seeks release from this court or alternatively a bond hearing 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

(DATE)

SIGNATURE OF PETITIONER

Paulino marrero suarez
1572 Gateway Rd
Calexico, California 92231

Warden Jeremy Casey
1564 Gateway RD
Calexico, California 92231

Re: request for Release From Detention

I am writing to request that you, as my immediate custodian, grant my release from the Imperial Detention Center here in Calexico, California. I was arrested on 02/24/2026 by ICE and subsequently detained in your facility on the 02/26/2026. I have been detained for over a un months now in your custody.

I am not a flight risk nor am I a danger to the community. I also have a sponsor He is a taxpayer who is gainfully employed. He provides housing, case management, transportation and other supportive services.

I am requesting release on bond or parole pending the resolution of my case.

Respectfully Submitted,

Paulino marrero suarez

04/08/2026



Paulino marrero suarez

1572 Gateway Rd

Calexico, California 92231

Deportation Officer **Chip Yoder**

1564 Gateway RD

Calexico, California 92231

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