



UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

JINGKE TAO,
A-Number: [REDACTED]
Petitioner,

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE);
FIELD OFFICE DIRECTOR, SAN DIEGO ICE ERO;
WARDEN, OTAY MESA DETENTION CENTER,

'26CV2409 JO MMP

Respondents.

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

1. Petitioner JINGKE TAO is currently detained by U.S. Immigration and Customs Enforcement (ICE) at Otay Mesa Detention Center, 7488 Calzada de la Fuente, San Diego, CA 92154.
2. Petitioner entered the United States near the southern border on November 18, 2025 and was subsequently taken into ICE custody.
3. Petitioner has applied for asylum in the United States. The asylum credible fear interview has already been passed, and the case is currently pending before the Immigration Court.
4. The Immigration Court has already conducted two Master Calendar Hearings, and the Individual (Merits) Hearing is scheduled for June 25, 2026.
5. Petitioner has remained detained for an extended period while the immigration proceedings remain pending.
6. Petitioner files this Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 challenging the legality of continued detention.

GROUND FOR RELIEF

Ground One – Unlawful Detention

Petitioner asserts that the continued detention by ICE is unlawful and violates U.S. immigration law and constitutional due process protections. Petitioner has a pending asylum claim and has already passed the credible fear screening. Continued mandatory detention without meaningful review violates statutory and constitutional protections.

Ground Two – Prolonged Detention While Asylum Case Pending

Petitioner has been detained for a prolonged period while immigration proceedings remain unresolved. Extended detention without a final decision in the asylum case constitutes an unreasonable deprivation of liberty under the Due Process Clause.

Ground Three – Failure to Provide a Bond Hearing

Petitioner has not been provided a bond hearing before an immigration judge to determine whether continued detention is justified. The failure to provide such a hearing violates due process principles recognized by federal courts in prolonged immigration detention cases.

RELIEF REQUESTED

Petitioner respectfully requests that this Court:

1. Issue a Writ of Habeas Corpus;
2. Order Respondents to justify the legality of Petitioner's continued detention;
3. Order Petitioner's immediate release, or in the alternative;
4. Order an immediate bond hearing before an immigration judge.

Respectfully submitted,



JINGKE TAO

A-Number: 

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

CERTIFICATE OF SERVICE

I, JINGKE TAO, certify that I mailed a true and correct copy of the Petition for Writ of Habeas Corpus to the United States Attorney for the Southern District of California.

Service Address:

Office of the United States Attorney
Civil Division
880 Front Street, Room 6293
San Diego, CA 92101
United States

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

Signature: JINGKE TAO

Name: JINGKE TAO

A-Number: 

Date: Apr 10, 2026