

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FILED

APR 08 2026

DONALDO ANTONIO GUTIERREZ-PANIAGUA

Petitioner,

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY
DEPUTY CLERK

v.

John Doe, Warden, Otay mesa detention center.

1: new 02031 DAD CKD (HL)

Alejandro Mayorkas,
Secretary of Homeland Security.

U.S. Immigration and Customs Enforcement (ICE), a component of Department of
Homeland Security;

Respondents.

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

1. Information About the Petitioner

- Full Name: **DONALDO ANTONIO GUTIERREZ-PANIAGUA**
- A-Number: 
- Nationality: **NICARAGUA**
- Detention Facility: **OTAY MESA DETENTION CENTER**

2. Legal Grounds

Petitioner is detained pursuant to immigration authority; however, his continued detention violates the Due Process Clause of the Fifth Amendment to the United States Constitution.

ICE has failed to provide Petitioner with an individualized bond hearing at which the Government bears the burden of proving, by clear and convincing evidence, that Petitioner poses either a danger to the community or a flight risk.

Petitioner has no criminal history, has strong community ties, and has complied with all prior immigration requirements. His continued detention without a meaningful opportunity to challenge the necessity of confinement is arbitrary and unreasonable.

Federal courts have authority under 28 U.S.C. § 2241 to review the legality of civil immigration detention and to order release where detention violates constitutional due process protections.

3. Claim

ICE has not met its constitutional burden to justify Petitioner's continued detention.

Petitioner is not a danger to the community and does not pose a flight risk. He has no criminal record, has established residence in the United States, and has demonstrated a history of compliance with immigration authorities. The Government has failed to show any changed circumstances, violation of conditions, or lawful justification warranting continued confinement. Detention under these circumstances constitutes an arbitrary deprivation of liberty in violation of the Fifth Amendment.

4. Relief Requested

Petitioner respectfully requests that this Honorable Court:

- a. Grant the Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241;
- b. Order Respondents to provide Petitioner with an individualized bond hearing before an Immigration Judge within a reasonable time, at which the Government bears the burden of proving by clear and convincing evidence that Petitioner poses a danger to the community or a flight risk;
- c. In the alternative, order Petitioner's release under appropriate conditions of supervision pending resolution of his immigration proceedings;
- d. Grant any other relief the Court deems just and proper.

Respectfully submitted,

/s/ DONALDO ANTONIO GUTIERREZ-PANIAGUA

Petitioner, pro se

A black rectangular box with a white 'X' inside, used to redact the signature of the petitioner.

Otay mesa detention center.

Date: 04/05/2026

To:

United States District Court Southern District of California Attn: Clerk's Office
333 West Broadway
San Diego, CA 92101

From:

DONALDO ANTONIO GUTIERREZ-PANIAGUA



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

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

Re: Habeas Corpus Petition

DONALDO ANTONIO GUTIERREZ-PANIAGUA



To the Honorable Court:

I respectfully submit the enclosed Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 on behalf of Mr **DONALDO ANTONIO GUTIERREZ-PANIAGUA**,
, who is currently detained at **Otay mesa detention center**.

Petitioner seeks judicial review of the legality of his continued civil immigration detention and requests appropriate relief as set forth in the Petition, including an individualized bond hearing or release under reasonable conditions of supervision.

Petitioner is a national of NICARAGUA and is presently detained by U.S. Immigration and Customs Enforcement **7488 Calzada de la Fuente San Diego, CA 92154**. He has no criminal history and does not pose a danger to the community or a flight risk.

Respectfully,

/s/ **DONALDO ANTONIO GUTIERREZ-PANIAGUA**

Petitioner, pro se



Otay mesa detention center.

Date: 04/05/2026

Darwin Maldonado
March 31 2026

To Whom It May Concern ,

I, Darwin Maldonado, submit this letter in support of my friend Donald Gutierrez, who is currently detained.

Through this letter of recommendation, I fully attest to my endorsement, offering the fullest support my word can provide, as I have known Mr. Donald Gutierrez for approximately four years.

We met because I had the opportunity to work alongside him and to attend activities at the church he attended.

Mr. Donald Gutierrez is a very calm individual—dedicated to his work, responsible, and an upstanding citizen with clear goals. In the time I have known him, I have observed that he is a good person who consistently strives to do what is right.

I hope my words prove to be of great help to him during these moments, when he needs the support of those close to him—the people who truly know him.

With nothing further to add for the moment, I take my leave.

Sincerely

Darwin Maldonado

