

(b) If your answer to 5 was "No," explain why you did not appeal: No appeal Available. Any appeal will 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: No appeal Available. Any appeal will 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: no appeal available. Any appeal would be futile.

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 have been detained by immigration and custom enforcement for over one year and three months.

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

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 where mandatory detention authority is limited to a six 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 entitled to due process under the fifth amendments 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 State Supreme Court signaled its concerns about the constitutionality of a statutory scheme that ostensibly authorize 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 Two in all appeals that were available to you?

Yes No

GROUND THREE: I am not a flight risk or danger to the
Society.

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

Basically I'm not a flight risk because I have a sponsor
or who is willing to accommodate me and take care of
my basic needs throughout my immigration court proceeding.
He is a taxpayer who is gainfully employed and
also law abiding. He will always ensure that I attend
all my immigration court hearings under his watch.
I'm also not a danger to the society because I don't
have any criminal record anywhere in the world. and
I promise never to violate any immigration laws upon my
release from detention.

(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 and there is a reason to anticipate significant future detention during my immigration proceedings. My Asylum application was ~~denied~~ denied by an immigration judge and I appealed his decision in the Board of Immigration Appeal (BIA) which may take up to six months to be reviewed by Board of Immigration Appeals. Even if I receive an adverse decision from board of immigration appeal (BIA) I can afterwards appeal to the ninth circuit which could take a year or more.

The conditions of confinement have been affecting me both psychologically and physically. We have been restricted to outdoor space, forbidden to access the internet which makes it almost impossible to communicate with my family and loved ones which makes me feel being cut off from the world.

(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.

SIGNATURE OF ATTORNEY (IF ANY)

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

4/10/26
(DATE)


SIGNATURE OF PETITIONER