

Fankoua Ndjantou Goldoni Ghislain

NAME



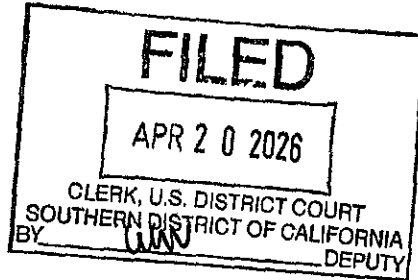
PRISON NUMBER

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

1572 Gateway Road, Calexico, Ca 92231

ADDRESS



**United States District Court
Southern District Of California**

Fankoua Ndjantou Goldoni Ghislain

(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. '26CV2624 TWR VET

(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 California 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): Conditional Parel or Bond

(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 release from detention but I did not receive any responses

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 receive 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: Any further appeal will 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 for over six months, the presumed limit for unlawful detention in the circuit. My total time in detention is 15 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 the government's statutory mandatory detention authority is limited to 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 No appeal was filed

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

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

I have a sponsor who's name is Tchepemi Mbunkeu Gervais. He is a lawful abiding citizen of the United States who is gainfully employed and he is going to accommodate me and take care of my basic needs throughout all my immigration court proceedings. Also he is going to ensure I attend all my present and future immigration court proceedings.

I promise to attend any present or future court hearings and go to all or any immigration and custom enforcement interviews when ever I am needed.

(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 **FACES** (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.

(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. Even if my current immigration proceeding results in an adverse ruling I can appeal to the BIA (Board of Immigration Appeal) which takes months, afterwards an appeal to the Ninth Circuit could take a year or more.

Moreover, it has been a year and more since I started my immigration proceedings but the Immigration Judge denied my claim for asylum and I am appealing this decision. On 25 of April would be five months since I appeal but the decision is still pending.

Additionally, the conditions of confinements have been affecting me psychologically. We are restricted from outside space, forbidden from using the internet and therefore cannot connect with loved ones.

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

Yes No I did not file any appeals

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

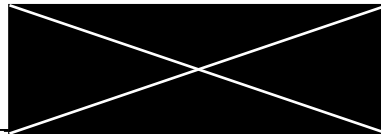
Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding. Specifically, petitioner seeks release from this court or alternatively a bond hearing in front of the Immigration Judge.

SIGNATURE OF ATTORNEY (IF ANY)

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

04/15/2026

(DATE)



SIGNATURE OF PETITIONER