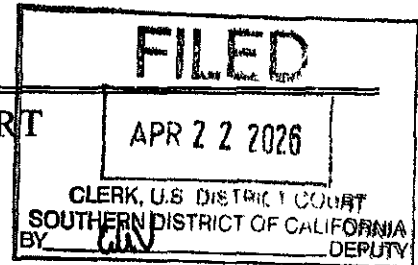


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the
Southern District of California



UKARA ETAH

Petitioner

v.

CHRISTOPHER J. LAROSE

WARDEN, OTAY MESA DETENTION CENTER

Respondent

(name of warden or authorized person having custody of petitioner)

Case No. '26CV2548 JLS JLB
(Supplied by Clerk of Court)

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

Personal Information

1. (a) Your full name: DESMOND UKARA ETAH
(b) Other names you have used: N/A
2. Place of confinement:
(a) Name of institution: OTAY MESA DETENTION CENTER
(b) Address: 7488 CALZADA DE LA FUENTE, SAN DIEGO, CA, 92154
(c) Your identification number:
3. Are you currently being held on orders by:
 Federal authorities State authorities Other - explain: _____
4. 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 number of criminal case: _____
(c) Date of sentencing: _____
 Being held on an immigration charge
 Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
 How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- Pretrial detention
- Immigration detention
- Detainer
- The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
- Disciplinary proceedings
- Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: OTAY MESA IMMIGRATION COURT, 7488 CALZADA DE LA FUENTE, SAN DIEGO, CALIFORNIA.

(b) Docket number, case number, or opinion number: [REDACTED]

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
PROLONGED DETENTION WITHOUT A BOND HEARING; VIOLATION OF MY FIFTH AMENDMENT RIGHT TO DUE PROCESS.

(d) Date of the decision or action: N/A

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

- Yes
- No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: _____
- (2) Date of filing: _____
- (3) Docket number, case number, or opinion number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: _____

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

- Yes
- No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

Yes No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

Yes No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

Yes No

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If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

Yes No

If "Yes," provide:

- (1) Name of court: _____
- (2) Case number: _____
- (3) Date of filing: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

N/A

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 04/26/2025
- (b) Date of the removal or reinstatement order: 02/05/2026
- (c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

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If "Yes," provide:

- (1) Date of filing: 03/04/2026
- (2) Case number: 221416537
- (3) Result: PENDING
- (4) Date of result: N/A
- (5) Issues raised: I appealed the immigration judge decision ordering me to be removed to Uganda my appeal is currently pending with the Board of Immigration Appeals (BIA).

(d) Did you appeal the decision to the United States Court of Appeals?

- Yes
- No

If "Yes," provide:

- (1) Name of court: _____
- (2) Date of filing: _____
- (3) Case number: _____
- (4) Result: _____
- (5) Date of result: _____
- (6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

- Yes
- No

If "Yes," provide:

- (a) Kind of petition, motion, or application: _____
- (b) Name of the authority, agency, or court: _____
- (c) Date of filing: _____
- (d) Docket number, case number, or opinion number: _____
- (e) Result: _____
- (f) Date of result: _____
- (g) Issues raised: _____

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Grounds for Your Challenge in This Petition

- 13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: VIOLATION OF MY FIFTH AMENDMENT RIGHT TO DUE PROCESS - PROLONGED DETENTION WITHOUT A BOND HEARING.

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

I was detained by immigration authorities on 04/26/2025 for almost a year without been given a bond hearing. This enforces prolonged detention, my detention has become unreasonably prolonged without a bond hearing. I have not given me a custody re-determination where the government bears the burden of proof that my continued detention is necessary or that I am at flight risk. This is a violation of my fifth amendment right to due process.

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

Yes No

GROUND TWO: UNFORESEEABLE REMOVAL

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

I was ordered removal to Uganda on 02/05/2026 a third world country which I have not ties with. I appealed this decision with the Board of Immigration Appeals (BIA) which is currently pending, Before the BIA reaches a decision on my case it could take a very long which prolongs my detention even more longer. If the decision with the BIA is not favorable I will appeal with the Ninth Circuit of United States Court of Appeals. This whole process will likely take a very long time, hence, My removal from the United States is currently unforeseeable.

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

Yes No

GROUND THREE: LESS RESTRICTIVE ALTERNATIVES TO DETENTION EXISTS

(a) Supporting facts *(Be brief. Do not cite cases or law.)*:

I am willing to comply with any conditions of release, including supervision or parole. Continued detention is not the least restrictive means of ensuring compliance.

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

Yes No

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GROUND FOUR: VIOLATION OF MY EIGHT AMENDMENT RIGHT AS A DETAINEE TO HUMANE AND CONSTITUTIONAL STANDARDS AND DETENTION IN SANITARY AND SAFE CONDITIONS

(a) Supporting facts *(Be brief. Do not cite cases or law.):*

This facility administration is unable to provide proper housing and sanitary conditions. the diet provided is insufficient in vitamins (in absence of fresh fruits, vegetables or meat in the meals. This is affecting the petitioner mental and physical health, this can be explained my the fact that the mentioned facility (Otay mesa Detention Center) and its policies were not designed for keeping detainees in custody for such long terms. This violates my eight amendment right as the conditions of confinement are inhumane and unconstitutional.

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

Yes No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: ALL GROUNDS WERE PRESENTED

Request for Relief

15. State exactly what you want the court to do: I respectfully request that this honorable court;

- 1) Grants this petition of writ to Habaes Corpus.
- 2) Order respondents to immediately release petitioner from detention.
- 3) Or in alternative order respondent to provide petition an adequate prompt hearing.
- 4) Grant any other relief it so deems just and proper.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

04-16-2026

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date: 04-16-2026

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

Signature of Petitioner

Signature of Attorney or other authorized person, if any