

Ismail Mallouk

NAME [REDACTED]

PRISON NUMBER
Imperial Region : Detention Facility

PLACE OF CONFINEMENT
1572 Gateway Road Calexico Ca 92231
ADDRESS

FILED
APR 23 2026
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY [Signature] DEPUTY

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

Ismail Mallouk
(FULL NAME OF PETITIONER)
Petitioner

Civil No. '26CV2422 AGS MSB
(TO BE FILLED IN BY CLERK OF U.S. DISTRICT COURT)

v.
Warden Imperial Regional Detention Facility
(NAME OF WARDEN, SUPERINTENDENT, JAILOR, OR AUTHORIZED
PERSON HAVING CUSTODY OF PETITIONER, E.G. PAROLE OFFICER)
Respondent

PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2241

and
The Attorney General of the State of
California, Additional Respondent.

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:

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): Prolonged Immigration detention without bond

4. Provide more information about the decision or action you are challenging:
(a) Name and location of the court or agency: U.S. Department of Justice
Executive Office for Immigration Review California
(b) Case number, docket number or opinion number (if you know): Unknown
(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): I'm challenging my continued immigration detention without release on bond despite being detained for 18 months ~~and~~ having no criminal history, and being granted ~~withholding of removal~~
(d) Date of the decision or action: ongoing detention (since 10/18/2014 to present)

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: Board of Immigration Appeals
(2) Date of filing: 07/19/2025
(3) Case number, docket number or opinion number: unknown
(4) Result: pending
(5) Date of result: still pending
(6) Issues raised: granted withholding of removal and
continued detention

(b) If your answer to 5 was "No," explain why you did not appeal: _____

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 second appeal filed because the appeal before the Board of Immigration Appeal is still pending

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 third appeal has been filed because the appeal before the Board of Immigration Appeals is still pending

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: Prolonged immigration detention in violation of due process

(a) Supporting FACTS (state *briefly* without citing cases or law) I have been detained by US ICE since 10/18/2024, I have no criminal history and have complied with all immigration proceedings, I requested release on bond and showed that my brother is a U.S. Citizen can support me, but bond was denied. An immigration Judge granted me withholding of removal, yet I remain detained while my appeal is pending, my prolonged detention is

excessive and violates my due process rights because

I'm not danger to the community or a flight risk

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

Yes No

GROUND TWO: denial of bond and continued detention despite
eligibility for release

(a) Supporting FACTS (state briefly without citing cases or law): I requested release
on bond and provided evidence that I have a sponsor in the
united states who can provide housing and financial
support, but the immigration judge denied bond. I have no
criminal history, have complied with all immigration
proceedings, and I am not a danger to the community
or a flight risk, I have strong family support and
a stable place to live, and my continued detention
under these circumstances is unreasonable and
violates my due process rights

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

Yes No

GROUND THREE: continued detention despite grant of
withholding of removal

(a) Supporting FACTS (state briefly without citing cases or law): The immigration
judge granted me withholding of removal, recognizing

that I would face harm if I returned to my country

Despite this protection, I remain in immigration detention
while my appeal of judge decision is pending before

The Board of immigration appeals, I have no criminal

history, I complied with all immigration proceedings

and has strong family support in the United States

continued detention under these ~~and~~ circumstances

is unnecessary and violates due process

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

Yes No

GROUND FOUR: violation of due to lack of timely and
meaningful custody review

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

I remained in immigration detention for more than 40
day before receiving a credible fear interview, during
that interview, I did not adequate interpretation assistance
I have remained detained for approximately 18 months
without a meaningful opportunity for release despite
complying with all immigration proceedings, the length
and conditions of detention, combined with delays
in the process, have deprived me of due process
under the constitution

(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:

The grounds raised in this petition were not fully presented in
prior proceedings because immigration court and board of immigration
appeal primarily address removal issues, not the legality

of prolonged detention under the constitution
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 None

(b) On appeal from any adverse ruling in a post-conviction proceeding None

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

04/20/2026

(DATE)



SIGNATURE OF PETITIONER