

DAGIM TARIKU KENEA

NAME

PRISON NUMBER

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

1572 Gateway Rd Calexico, California

ADDRESS

FILED

APR 27 2026

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY WIN DEPUTY

United States District Court
Southern District Of California

DAGIM TARIKU KENEA

(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. '26CV2675 JO MSB

(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: U.S.

- (a) Name and location of the court or agency: Immigration and Customs Enforcement
(ICE) San Diego Field Office, 880 Front Street
San Diego, CA, 92101
- (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): Bond or Parole
- (d) Date of the decision or action: 01/25/2025

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 have sent a letter to the warden and my ICE officer
and there no respond to my letter

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 5 was "No," explain why you did not appeal: I have sent

a letter to the warden and my ICE officer and there was
no respond to my letter any other 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: I have sent a letter to the Warden and my ICE Officer but there was no respond to my letter any other 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: The Government has incorrecly interpretes and applied the relevant Statutory Framework OF Post Removal order detention

(a) Supporting FACTS (state *briefly* without citing cases or law) My Post Removal Order Immigration detention is unconstitutional because my Removal order Period began on January 20/2026 when the Removal became Administratively Final. my 90 days Removal Period expired On April 21/2026. therefore Continued detention for another 90 days is unfair because I cannot move to my Country OF ORIGIN I currently have Withholding OF Removal to Ethiopia. Third countries are historically rare.

The minimum amount of time recognized in the Southern District OF California in 90 days in (See Roland Tumazon (R. DOB 1, et al) Cienzo (26 cv 590 -LL-DEB) holding that petitioner he cannot be removed to Armenia because was granted Withholding OF Removal to Armenia. Petitioner less than four months Released from detention under appropriate condition OF Supervised Release.

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

☐ Yes ☐ No

GROUND TWO: The Trump Administration affected the individual
Constitutional right

(a) Supporting FACTS (state briefly without citing cases or law): The interest of the
current Administration affected the individual constitutional
rights. Immigration Judge they do not consider the alien
detention challenges. I have requested two times bond hearing
from immigration Judge denied me because of lack of jurisdiction.
but I have serious medical issue I am having trouble going to
the toilet and the medication they are providing here is not
help me as time goes my medical issue are deteriorating.
I need medical attention outside my confines.
I was severely harmed by the Ethiopian police

with pliers and I went to medical and the doctor told me
that my toe is broken and I need surgery which he said
will not be possible to get in done here in detention.
I will need to seek medical attention for this toe
up on my release.

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

☐ Yes ☐ No

GROUND THREE: I am not a danger to the community as I do not
have a criminal records in my entire OF history

(a) Supporting FACTS (state briefly without citing cases or law): I am an active
Participant in the Divine Liturgy (Kidassie) in Ethiopia
Orthodox Tewahedo church and Leadership in various
Community Spiritual and Social Life also I am an
Educated Person I graduated Economics and Marketing
Management from University.

During my detention facility I participate different volunteer
works I do not have any immigration violation and
Criminal Records ICE has run my background which
has not revealed any Criminal Records.

I have been detained for ~~10 years~~ 15 months 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 authority is limited to a 6-
months period subject to finding of flight risk or
dangerousness.

Government bearing the burden of proving by clear
and convincing evidence that continued detention
is necessary to prevent flight or danger to the
community.

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

☐ Yes ☐ No

GROUND FOUR: I am not a Flight Risk For ICE and I have a Sponsor
Who will provide me with SHELTER FOOD AND ENSURE
I WILL ABIDE BY ANY CONDITION OF RELEASE

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

I have family ties in the United States he is my uncle
and citizen. He intended to provide the beneficiary
room, board and the necessary assistance while I am
stay in the United States. I submitted all documents
of my Sponsor to ICE and Immigration Judge.
my condition of confinement
my current condition of confinement is very difficult
my prolonged detention has been under harsh conditions
of confinement and has been affecting me psychologically
and physically we have been restricted to our door space.
Forbidden to internet access and connect with loved ones
and restricted on visitation.

The Trump administration no have authority to
redetermine the custody condition of an alien who
crossed the border.

(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 Ground were presented to any State or
Federal Court. Petitioner is presenting those Ground
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.

I Respectfully Request the Judge order my immediate release from custody under the appropriate condition of supervision

SIGNATURE OF ATTORNEY (IF ANY)

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

24/04/2026

(DATE)

SIGNATURE OF PETITIONER