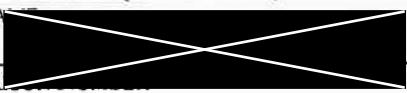
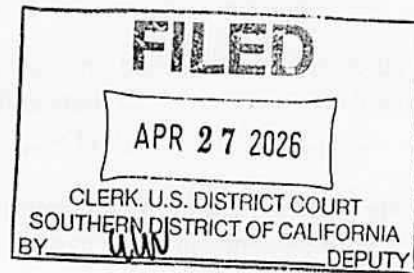


NAME Rahul Sharma
PR 

PLACE OF CONFINEMENT Imperial regional detention

ADDRESS 1572 gateway Rd. Calexico, Ca.



United States District Court
Southern District Of California

RAHUL SHARMA

(FULL NAME OF PETITIONER)

Petitioner

v.

Warden JEREMY CASSEY

(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. '26CV2680 BJC 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:

DHS

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: Immigration Court in Imperial 2409
1A Buhrer Road Imperial Ca 92251

(b) Case number, docket number or opinion number (if you know): 

(c) Decision or action you are challenging (for disciplinary proceedings, specify the punishment imposed): _____

(d) Date of the decision or action: 01-27-2023

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 appeal

(2) Date of filing: 03-02-2026

(3) Case number, docket number or opinion number: 3:26-CV-00050-CAB-SBC

(4) Result: Rejected

(5) Date of result: 03-21-2026

(6) Issues raised: _____

(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 5 was "No," explain why you did not appeal: _____

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: _____

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 being detained for over eight months Court in the ninth circuits have recognized the six month bright rule. my detention becomes prolonged.

(a) **Supporting FACTS** (state *briefly* without citing cases or law) I'm detained in imperial regional detention center. I'm filled a habeas petition on fifth January ask to Court give me opportunity to release from detention, Court grant my petition and give me bond hearing on 23th January (3:26-CV-00050-CAB-SBC). The IT denied my bond say you are a flight risk. The IT ruling was erroneous and unsupported by the records and misapplied the burden of proof. The IT violates my rights under the due process clause as well as the administrative procedure act. The respondent give me bond hearing was not fair enough. Now I request to Court to release me from detention on my old parole Provision.

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

☐ Yes ☒ No

GROUND TWO: The Condition of Confinement.

(a) Supporting FACTS (state *briefly* without citing cases or law): The Condition of my Confinement has been affecting me mentally, emotionally, psychologically and healthwise. I was very depressed because of my prolong detention and for the future tension. I'm requested to the detention medical staff to do my treatment but the medical staff took me and lock me up in singular tiny room for five days. I lived in this room for five days that incident make my conditions more bad because they can't took me out even one hour in five days. I have already mental health issue and they lock me up alone for five days that not make sense. The medicine or treatment they give me was not working on my condition. After doing many request the didn't took me in hospital or not give me good treatment.

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

☐ Yes ☒ No

GROUND THREE: Fifth Amendment (Due Process)

my detention becomes unconstitutionally prolonged and violates the amendment of the 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 proceeding 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 then decade ago in the Zadvydas decision the united states supreme Court signated its concern about the Constitutionality of statutory scheme that ostensibly authorized indefinity detention of non-citizen two year later when the Court upheld the Constitutionality of 8.4.5 C.S (1226EC) in the demore decision it emphasized that for detention under the state to be reasonable it must be for a brief period of time Justices 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 proceeding it could become necessary then to inquire whether the defention is not Facilitate deportation or to protect against risk of flight or dangerousness but to incarcerate for other reason.

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

☐ Yes ☒ No

GROUND FOUR: BIA appeal long time period

(a) Supporting FACTS (state briefly without citing cases or law): After
denied my bond by the immigration Judge
on 29th January. The respondent direct
scheduled my individual hearing on
6th March but somehow they again
re-schedule my asylum individual hearing
on 17 March where the immigration Judge
denied my application of asylum as
withholding and order me to send back to INDIA.
I was timely appeal the decision of IT TO
BIA on 15th of April but the very next
day they send back my appeal to me because
of some Coercion now I'm filing appeal again.
But the BIA time period of to schedule brief
is so long and my detention already becomes
more than eight month and BIA waiting is so
long so I Pray to this Court to release me
from Custody because if I detained as much as long
its make my mental Condition more worst.

(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:

I have never had an opportunity to Present them in
Federal Federal or State 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 NA

(b) On appeal from any adverse ruling in a post-conviction proceeding NA

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding. I pray that Court orders my release or in the alternative grant 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

04/24/2026

(DATE)

SIGNATURE OF PETITIONER