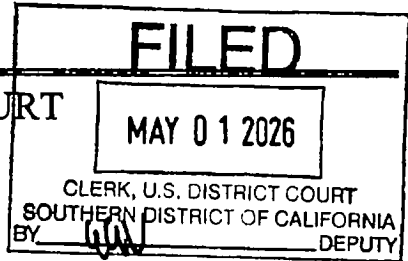


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241



UNITED STATES DISTRICT COURT
for the
Southern District of California

RAMOS ALCALA ANGEL

Petitioner

v.

CHRISTOPHER J LAROSE

WARDEN, OTAY MESA DETENTION CENTER

Respondent

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

Case No. '26CV2786 RSH MSB
(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: RAMOS ALCALA ANGEL
- (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, CALIFORNIA, 92154.
3. (c) Your identification number: [REDACTED]
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, 92154.

(b) Docket number, case number, or opinion number: 

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
VIOLATION OF MY FIFTH AMENDMENT RIGHT TO DUE PROCESS, DENIAL OF BOND REQUEST.

(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: _____

N/A

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: _____

N/A

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: _____

N/A

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: 11/20/2025
- (b) Date of the removal or reinstatement order: N/A
- (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: _____
 - (2) Case number: _____
 - (3) Result: _____
 - (4) Date of result: _____
 - (5) Issues raised: _____
- _____
- _____
- _____

(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 - DENIAL OF BOND REQUEST DUE TO LACK OF JURISDICTION.

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 Do not cite cases or law.):*

I requested for a bond hearing on March 2026, it was ultimately denied has the immigration judge stated that he had no jurisdiction to review my custody. I have been detained for almost 6 months and the government has not given me a custody re-determination hearing where the government bears the burden of proof that my continued detention is necessary or that I am at flight risk. This is in clear a violation of my fifth amendment right to due process entitled to all persons present within the United States.

(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 departed the United States for Mexico due to a family emergency, I have a valid U-visa and I currently in proceedings for cancellation of removal. My green card application is currently pending with the USCIS with a high chance of approval, my immigration status has a U-visa immigrant makes me eligible to apply for a green card. I had my first merits hearing on April 24, 2026 and was given a continuance to insufficient time on Ma 28, 2026. This was an administrative delay. My removal from the United is currently unforeseeable.

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

Yes No

GROUND THREE: RISK OF FAMILY SEPARATION

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

I was residing in the United States for 22 years, I have a wife, 2 young American citizen daughters and a wife residing in the United States. They all depend on me as I am the sole provider of my family, it has been really difficult for my family ever since I am being detained. My continue stay in detention could bring a about a permanent separation from my family which will cause an irreparable damage to me and the lives of my family.

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

Yes No

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GROUND FOUR: LESS RESTRICTIVE ALTERNATIVE TO DETENTION EXISTS

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

There are less restrictive alternative to detention which includes release on supervision or parole, I am willing to comply with any conditions of release. Continued detention is not the least way of ensuring compliance.

(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 of habeas corpus.

2) Order respondents to immediately release petitioner.

3) In alternative order respondents to provide an adequate bond hearing, before neutral grounds.

4) Grant any other relief the court 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:

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: 4/28/2026


Signature of petitioner

Signature of Attorney or other authorized person, if any