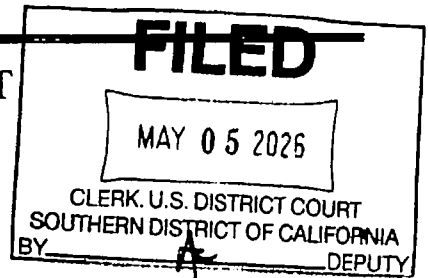


AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the
Southern District of California



Mehrdad Yousefpanah)

Petitioner

v.)

Christopher LaRose)
Warden, Otay Mesa Detention center)


Respondent

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

Case No. '26CV2842 JO AHG
(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: Mehrdad Yousefpanah
(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): _____

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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)
- 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: U.S. Immigration and Customs Enforcement (ICE), San Diego Field Office

(b) Docket number, case number, or opinion number: N/A

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

Re-detention by ICE on April 20, 2026, after prior release on recognizance (Form I-220A), despite full compliance with all conditions of release. Petitioner challenges the unlawful revocation of parole and resulting detention in violation of due process. Petitioner seeks immediate release.

(d) Date of the decision or action: 04/20/2026

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: Board of Immigration Appeals (BIA)

(2) Date of filing: 12/15/2025

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

(4) Result: Pending

(5) Date of result: _____

(6) Issues raised: Appeal of Immigration Judge's decision denying asylum, withholding of removal, and related relief; case currently pending before the Board of Immigration Appeals.

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(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

(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: _____

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(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

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: _____

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

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

Yes No

If "Yes," provide:

(a) Date you were taken into immigration custody: 04/20/2026

(b) Date of the removal or reinstatement order: 12/12/2025

(c) Did you file an appeal with the Board of Immigration Appeals?

Yes No

If "Yes," provide:

(1) Date of filing: 12/15/2025

(2) Case number: _____

(3) Result: PENDING

(4) Date of result: _____

(5) Issues raised: Appeal of Immigration Judge's denial of asylum, withholding of removal, and related relief; case currently pending before the Board of Immigration Appeals.

(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: _____

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- (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: _____

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.

GROUND ONE: I am being detained unlawfully because ICE took me back into custody after previously releasing me on recognizance (Form I-220A), even though I fully followed all the conditions of my release.

I believe this revocation of my release was unfair and violated my due process rights. I respectfully ask the Court to order my release.

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

After I was released by ICE, I followed all the rules and reported as required. I attended all check-ins, cooperated with ICE officers, and allowed home visits. I have no criminal history and did not violate any conditions.

Despite this, I was taken back into custody on April 20, 2026 without any clear reason

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

Yes

No

GROUND TWO: My continued detention violates my rights under the Due Process Clause of the Fifth

Amendment. I am being held without an individualized hearing or any meaningful review of whether my detention is necessary. Because my appeal is still pending and may take months, my detention is becoming prolonged and unfair. I should not be kept in custody without a proper legal basis and a fair opportunity to be heard.

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

My case is currently pending before the Board of Immigration Appeals, and there is no final decision yet.

I filed my appeal on December 15, 2025, and I am waiting for a decision, which may take months. While my case is still under review, I am being detained without any hearing to determine whether I should remain in custody. I have no criminal history, I complied with all prior conditions of release, and I am not a danger or a flight risk.

Despite this, I continue to be detained without any individualized review of my custody.

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

Yes

No

GROUND THREE: I am being detained without a valid legal basis. I am not a danger to the community and I am not a flight risk. ICE already released me before under Form I-220A, which shows that I was not considered a threat. My continued detention now is unnecessary and unjustified.

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

I have no criminal history and I have always followed the law. I complied with all the conditions of my previous release, including reporting and cooperating with ICE. I have strong ties in the United States, including my family. ICE previously allowed me to remain out of custody, but now I am being detained again without any new reason or justification.

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

Yes

No

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GROUND FOUR: My continued detention is excessive and unreasonable under the Due Process Clause because it is not necessary to achieve any legitimate government purpose. I am a civil Immigration detainee not a criminal, and I have already shown that I follow all rules and conditions.

Keeping me in detention under these circumstances is unfair and unjustified.

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

I am the father of two young children who depend on me for support. Before my detention, I was working and taking care of my family. I have no criminal history and I complied with all immigration requirements.

My detention is causing serious hardship to my family, both financially and emotionally. There is no reason to keep me detained when I have already shown that I follow all rules and can remain outside of custody.

(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: I did not present these grounds in prior appeals because my appeal before the Board of Immigration Appeals concerns my removal case, not the legality of my detention. I am filing this petition pro se to challenge my unlawful detention in federal court.

Request for Relief

15. State exactly what you want the court to do: I respectfully request that this Court find my detention unlawful and order my immediate release from ICE custody. In the alternative, I request a prompt individualized hearing to determine whether my continued detention is justified.

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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: 05/05/2026


Signature of Petitioner

Signature of Attorney or other authorized person, if any
