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9 *Attorney for Petitioner*

10
11 **UNITED STATES DISTRICT COURT**
12 **SOUTHERN DISTRICT OF CALIFORNIA**

13
14 **Hongda Zhang**

15 *Petitioner,*

16 v.

17 **Christopher J. LaRose,**

18 Senior Warden of Otay Mesa Detention
19 Center;

20 **Gregory J. Archambeault,**

21 Field Office Director of the San Diego
22 Field Office of U.S. Immigration and
23 Customs Enforcement;

24 **David Venturella,**

25 Acting Director of U.S. Immigration and
26 Customs Enforcement;

27 **U.S. IMMIGRATION AND CUSTOMS**
28 **ENFORCEMENT;**

Civil No. '26CV3107 RFL JAC

**PETITION FOR WRIT OF HABEAS
CORPUS; MEMORANDUM**

Under 28 U.S.C. § 2241

IMMIGRATION HABEAS CASE

1 **Markwayne Mullin,**
2 Secretary of the U.S. Department of
3 Homeland Security;
4 **Todd Blanche,**
5 Attorney General of the United States; and
6 **EXECUTIVE OFFICE FOR**
7 **IMMIGRATION REVIEW,**
8 *Respondents.*

9
10 1. Petitioner Hongda Zhang (“Petitioner” or “Mr. Zhang”) is currently detained
11 on an immigration charge.

12 2. Mr. Zhang is currently being held on orders by Federal authorities.

13 3. Petitioner is challenging his immigration detention in this petition.

14 4. Mr. Zhang provides the following information regarding the decision or action he
15 is challenging:

16 (a) Name and location of the court or agency:

17 Otay Mesa Immigration Court, 7488 Calzada de la Fuente, San Diego,
18 California 92154;

19 San Diego Field Office of U.S. Immigration and Customs Enforcement, 880
20 Front Street, Suite 2242, San Diego, California 92101; and

21 Otay Mesa Detention Center, 7488 Calzada de la Fuente, San Diego,
22 California 92154.

23 (b) Case Number: Petitioner’s A-Number is 

24 (c) Decision or action Petitioner is challenging: Federal immigration authorities
25 detained Mr. Zhang upon his return to the United States after a brief, casual,
26 and innocent departure into Mexico caused by a wrong turn, notwithstanding
27 his timely filed asylum application pending before U.S. Citizenship and
28 Immigration Services (“USCIS”).

1 (d) Date of the decision or action: October 18, 2025.

2 5. Petitioner did not appeal the decision, file a grievance, or seek an
3 administrative remedy because exhaustion of administrative remedies would be futile,
4 inadequate, and would result in irreparable harm under applicable Board of Immigration
5 Appeals precedent.

6 6. **Ground One for this Petition:** Respondents unlawfully detained Petitioner
7 following his return to the U.S. after a brief, casual, and innocent departure into Mexico
8 caused by a wrong turn:

9 (a) Petitioner was admitted to the U.S. with a valid B visa on January 29, 2022,
10 and timely filed a Form I-589 application, which is currently pending with
11 USCIS.

12 (b) On October 18, 2025, after dropping off an Uber passenger near the U.S.–
13 Mexico border, Petitioner made a wrong turn onto the I-5 freeway southbound
14 and inadvertently entered Mexico.

15 (c) Because the incident occurred on a Saturday afternoon, and because
16 Petitioner—an asylum applicant fleeing persecution by the Chinese
17 government who does not understand Spanish—had inadvertently entered
18 Mexico without a valid visa or travel document and without his personal
19 property, passport, medical insurance card, access to friends, a scheduled
20 medical appointment, or means of employment, all of which remained at his
21 home in El Monte, CA, he reasonably and promptly decided to return to the
22 U.S.

23 (d) After remaining in Mexico for approximately four hours, Petitioner returned
24 to the U.S., where he was subsequently detained by Immigration and Customs
25 Enforcement (“ICE”).

26 7. **Ground Two for this Petition:** Petitioner has been detained for more than
27 six months without an opportunity for a fair and impartial bond hearing:
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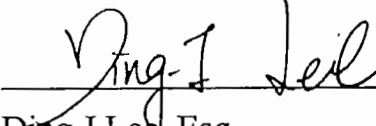
1 Petitioner has been detained at the Otay Mesa Detention Center since October
2 18, 2025, without receiving a constitutionally adequate bond hearing before a
3 neutral decisionmaker. Despite more than six months of civil detention, the
4 Government has failed to provide an individualized determination regarding
5 whether continued detention is necessary. As a result, Petitioner's continued
6 confinement violates the Due Process Clause of the Fifth Amendment.

7 8. Petitioner presented Ground One during his removability hearing; however,
8 Ground Two was not presented because, under the Board of Immigration Appeals'
9 decision, such an argument would have been futile. Exhaustion should therefore be excused
10 because pursuing the argument would have been futile and inadequate.

11 9. Wherefore, Petitioner prays that the Court grant petitioner relief to which he
12 may be entitled in this proceeding.

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14 *Respectfully Submitted,*

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16
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18 Dated: May 18, 2026

19 
20 _____
21 Ding-I Lee, Esq.
22 *Attorney for Petitioner*