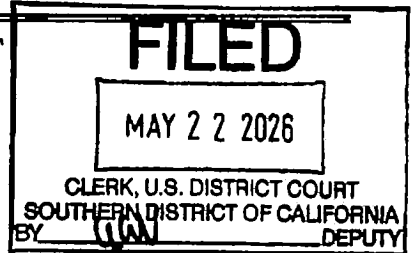


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT  
for the  
Southern District of California



Emin Bahramov

*Petitioner*

v.

Christopher J. Larose Senior Warden  
Otay Mesa Detention Center and

*Respondent*

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

Case No. **'26CV3202 JLS BJW**  
(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: Emin Bahramov
- (b) Other names you have used: \_\_\_\_\_
2. Place of confinement:
  - (a) Name of institution: Otay Mesa Detention Center
  - (b) Address: 7488 CALZADA DE LE 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): \_\_\_\_\_

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: Immigration Court Otay Mesa

7488 CALZADA DE LE FUENTE, SAN DIEGO CA 92154

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

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):  
prolonged detention with no end in sight.

(d) Date of the decision or action: 10/06/2025

#### 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:  
being detained by ICE while applying for asylum

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: \_\_\_\_\_

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 10/06/2025

(b) Date of the removal or reinstatement order: \_\_\_\_\_

(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: \_\_\_\_\_

**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:** Fear of long-term retention of face and further waiting

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 Do not cite cases or law.):*

I have been in detention for 8 months and my merit hearing has been scheduled for May 27. However, currently hearing dates are being frequently rescheduled and postponed for much later dates. In addition, in the case of a negative outcome my detention could be prolonged by another 18 months as I intend to appeal such an outcome. The prospect of such a lengthy detention is daunting and disheartening. As it would harshly affect my physical health as well as my mental health. Mainly the separation from my family would have a toll on my overall health.

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

☐ Yes

☒ No

**GROUND TWO:** Being separated from my family and child and not being able to support them.

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

I can't talk comfortably with my mother, my wife and my child. I cannot solve their problems. I left Azerbaijan on September 19, 2024 and waited for an appointment in Mexico for 3 months at the CPB1 application. I waited for 8 months to enter U.S. through a legal path. However, after the cancellation of CBP1 for asylum applicants I entered through Otay Mesa Port of Entry by car on October 6, 2025 and asked for asylum. I have missed out so much on seeing my daughter growing up. Who was 6-month-old at the time me fleeing my country.

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

☐ Yes

☐ No

**GROUND THREE:** Due to my long-term detention, my health and mental problems have increased.

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

My facial bones are broken and my bones are filled with metal from the blows I received. Since the place we are being held in is cold at nights, I constantly have pain in my head and face. Even though I consult doctors here, they only give me painkillers. I have been taking painkillers for 8 months now, and I am afraid the medications I'm being given have many side effects.

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

☐ Yes

☐ No

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**GROUND FOUR:**

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

(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: Appeal would be futile because the Bond of Immigration Appeals cannot decide constitutional issues.

**Request for Relief**

15. State exactly what you want the court to do: I respectfully requested that the court order my release from detention. I am very respectfully requesting from The Federal Court to provide me with free federal lawyer support to help me and to complete my petition. Immediate release from detention under reasonable supervision, bond or any less restrictive alternative to confinement. I have been detained in ICE custody since October 6, 2025 at OMDC. I have not been granted bond, and order of release or meaningful custody review, I'm no danger to the community and nor a flight risk.

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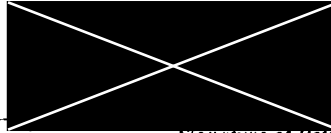
**Declaration Under Penalty Of Perjury**

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: 05.18.2026



\_\_\_\_\_  
*Signature of Petitioner*

\_\_\_\_\_  
*Signature of Attorney or other authorized person, if any*