

FILED

MAY 26 2026

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY: COE DEPUTY

GIRMAY NEGASI

NAME

PRISON NUMBER

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

Calexico California, IRDF

ADDRESS

1572 Gateway Road Calexico CA, 92231

United States District Court
Southern District Of California

GIRMAY NEGASI

(FULL NAME OF PETITIONER)

Petitioner

v.

WARDEN JEREMY CASEY

(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. '26CV3256 RBM DDL

(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: Imperial Immigration Court
2409 LA, BRUCHERIE 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 penalties imposed): BOND / PAROLE

(d) Date of the decision or action: _____

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: _____

(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: I did not file for an appeal because it would be futile

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: I did not file for an appeal because it would be futile

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: I did not file for an appeal because it would be futile

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 been detained over six months
Court in the ninth Circuit have recognized the
six month bright line rule.

(a) Supporting FACTS (state briefly without citing cases or law) I am currently
detained it has been over 9 months with no
bond hearing Courts in this Circuit have recognized
a six month "presumptively reasonable period
of detention after which the alien is eligible
for conditional release if he can demonstrate
that there is significant likelihood of removal
in the reasonable foreseeable future" Clark V-
Martinez, 543 U.S. 371, 378, 1225.C.T. 716, 1601
E.D. 2D 734 (2005) quoting Zadvydas, 533
U.S. at 701.)

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

☐ Yes ☒ No

GROUND TWO: My detention has become Unconstitutionally prolonged and violates the fifth 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 proceedings. The due process clause applies to all person within the United States, including aliens whether their presence here is lawful, unlawful, temporary or permanent. More than a decade ago in the Zadvydas decision the United States Supreme Court signaled its concerns about the constitutionality of a statutory scheme that ostensibly authorized indefinite detention of non-citizens. Two years later, when the Court upheld the constitutionality of 8 U.S.C. § 1226(c) the demore decision, it emphasized that for detention under the statute to be reasonable it must be for a brief period of time. Justice Kennedy explained in his concurrence in the demore decision that were 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 detention is not facilitate deportation or to protect against risk of flight or dangerousness but incarcerate for other reason.

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

☐ Yes ☒ No

GROUND THREE: There is no significant likelihood of my removal in the near future.

(a) Supporting FACTS (state briefly without citing cases or law): The duration of my current detention has been unreasonably prolonged and there is reason to anticipate significant future detention during my Immigration proceeding. Even if I receive an adverse decision from the (BIA) Board of Immigration Appeal which could take six months or more after wards appeal to ninth circuit which could take a year or even more. The Condition of Confinement is also not favourable. My mental and physical health is deteriorating. I have being forbidden from accessing the Internet which make it almost impossible to communicate with my love ones. I have problem in my lower back which needs serious medical attention which I can't get in this detention. The Conditions of Confinement is not favourable.

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

☐ Yes ☒ No

GROUND FOUR: I am not a flight risk or danger to the community.

(a) Supporting FACTS (state *briefly* without citing cases or law): I have a sponsor who is permanent resident. He is a family and tax payer who is willing to accommodate me and take care of my basic needs throughout my Immigration proceedings. I have my Identification card and birth certificate copy with me.

(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:

There is no pending presented ground in any court. The petitioner is presenting these grounds for the first time in this 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

N/A

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

N/A

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding. I pray the court will release me from custody or in the alternative provide me with a bond hearing in front of immigration Judge

N/A
SIGNATURE OF ATTORNEY (IF ANY)

I declare under penalty of perjury that the foregoing is true and correct. Executed on

May 20 2026
(DATE)



SIGNATURE OF PETITIONER