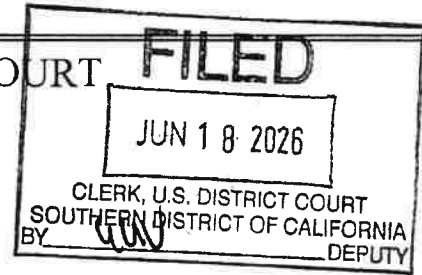


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT  
for the



Jorge Eduardo Cristobal Amezcua  
*Petitioner*

v.

Case No. **'26CV3613 AGS JAC**  
(Supplied by Clerk of Court)

Warden Christopher La Rose  
*Respondent*  
(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: Jorge Eduardo Cristobal Amezcua  
(b) Other names you have used: \_\_\_\_\_
2. Place of confinement:  
(a) Name of institution: Correction Corp of America  
(b) Address: 7488 Calzada De la Fuente San Diego CA 92154  
(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: Olay Mesa Immigration Court

7488 Calzada De la 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):

I have been detained since march 2025 here at Olay Mesa Detention Center where I have been denied bail

(d) Date of the decision or action:

#### 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:

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:

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:

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: *March 15 2025*
- (b) Date of the removal or reinstatement order: *April 1<sup>st</sup>, 2026*
- (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: April 20 2026

(2) Case number:

(3) Result: Pending

(4) Date of result:

(5) Issues raised:

pending  
please see attachment on the back of this petition

(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: My stay here at Olay Mesa Detention Center has been prolonged and there is no end in sight, I'm not here for a sentence but everyday sure feels like. My stay here is becoming indefinite specially since my bail hearing was denied.

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 Do not cite cases or law.):

I arrived at Olay Mesa Detention Center on March 15 2025 and was given a bail hearing on January 27 2026 where the honorable judge stated he had no jurisdiction over my bail since then I have continued to be detained and now I am undergoing an appeal process for my Immigration Case.

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

☐ Yes

☐ No

GROUND TWO: I started my Immigration Case back in 2019, Since I arrived here at Olay Mesa Detention Center My Case has been terminated and Because of that I was forced to file all over again a new Immigration Case

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

The Immigration Case I started back in 2019 was terminated in May 2025 due to DHS having wrong dates on their end. I then spent 3 months w/ no court hearing on August 2025, I got a court date to start a new Immigration process. that process took months until I got an individual hearing on April, 2026 where I was denied now I am in the process of the appeal.

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

☐ Yes

☐ No

GROUND THREE: I have a current visa number available but can't finish it due to being locked up

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

on Dec. 3, 2024 I received a Notice of Immigrant Visa Case Creation. I was currently in the process of doing so until I was detained in March 2025, Since then My wife has received a letter on Dec. 6, 2025 Regarding me not making progress and that there was still a number available but they will begin a termination process if I don't do nothing within a year.

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

☐ Yes

☐ No

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**GROUND FOUR:** The living Conditions in Otay Mesa Detention Center have been without a doubt challenging w/ financially being the number one struggle considering everything has a price, the food coming in second due to it being unedible at times, third the communication and/or the lack of information one can get

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

I am barely able to contact family or lawyers cause everything has a cost and my wife being my primary financial helper she is only able to put some money since she uses that same money to take care of our two kids. Cause I have to sometimes priorities Commissary due to the food at the dining hall being unedible some weeks with the food being put in in trays that are only washed with hot water, the trays, cups and spoons most of the time come w/ oil or food from the last meal which becomes unappetizing

(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:

#### Request for Relief

15. State exactly what you want the court to do: I would want the Court to release me from being detained Immediately, if not possible under parole, supervision or bail, If granted I would like a legal document that protects me from being detained without a court order, So I can continue my visa case outside. Also if possible I would like to have a federal attorney appointed to me. Thank You!

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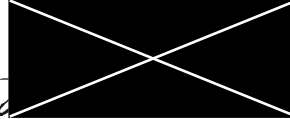
**Declaration Under Penalty Of Perjury**

If you are incarcerated, on what date did you place this petition in the prison mail system:

6-13-26

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: 6-13-26



of Petitioner

Signature of Attorney or other authorized person, if any