

PERIYANNAN SUNDARARAJU

PRISON NUMBER

IMPERIAL REGIONAL DETENTION FACILITY
PLACE OF CONFINEMENT

1572 GATEWAY RD. CALEXICO, CA 92231
ADDRESS

FILED

JUN 24 2026

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

United States District Court
Southern District Of California

PERIYANNAN SUNDARARAJU
(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. '26CV3700 RSH JLB
(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): _____

(b) If your answer to 5 was "No," explain why you did not appeal: Any appeal 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: Any appeal 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: _____

2. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
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,
Imperial 2409 La Graciere Rd, Imperial Ca 92251
- (b) Case number, docket number or opinion number (if you know): [REDACTED]
- (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): Immigration and Custom Enforcement's prolonged detention, and also the decision to keep
me detained since i'm not a recent Entrant.
- (d) Date of the decision or action: 12-02-2025
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 7 was "No," explain why you did not appeal: Any appeal 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: My detention has become unconstitutionally prolonged and violates the 5th Amendment of the Constitution.

(a) Supporting FACTS (state *briefly* without citing cases or law)

I have been detained for over six months. The approach adopted by the United States Court of appeals for the Ninth Circuit is to apply a bright-line rule to cases of mandatory detention where the government's statutory mandatory detention authority is limited to a six month period subject to a finding of flight risk or dangerousness. I was arrested in my home at

and was taken to a detention center in Bata Viga where I spent 5 months and 22 days. After that I was brought to Imperial Regional Detention

GROUND FOUR: My present detention violates the fifth Amendment of the Constitution.

(a) Supporting FACTS (state briefly without citing cases or law): The fifth Amendment entitles aliens to due process. 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) in the *Demore* decision, it emphasized that for detention under the statute to be reasonable, it must be for a brief period of time.

(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:

None of these grounds has been presented to any court, it's been presented for the first time to this court.

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

☐ Yes ☒ No

GROUND TWO: I am detained under 1226(a) not 1225(b) because I was not arriving or seeking admission when I was arrested by ICE since I'm not a recent entrant.

(a) Supporting FACTS (state briefly without citing cases or law):

On 11/20/2015 I entered the USA with a D-2 Visa and since then I have been living in the United States. I obtained a working permit and Social Security which allows me to work legally in the United States. I pay my tax and has never violated any laws of United States. I don't have any criminal records. I live in [REDACTED] and I maintain a good relationship with my neighbors. I have a pending Asylum case in the federal Court for review and I also have a VAWA case which will be approved next month. On 11/6/2025 I was granted a bond of \$10,000 and I was released from detention. On 12/02/2025 when I went for ICE appointment, I was again detained and was told that the bond I was granted earlier was denied because the Court does not have jurisdiction to set bond as I entered the United States as a D-2 Crewman. I have a valid Employment Authorization Document and I have a pending I-485 Adjustment of status application with USCIS. I have been fully compliant with immigration requirements and I don't have any criminal record.

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

☐ Yes ☒ No

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

(a) Supporting FACTS (state briefly without citing cases or law):

I have lived in America for more than ten years and during these years I have never violated any law. I have been fully compliant with immigration requirements and remained committed to resolving my case lawfully. I have a valid Employment Authorization Document which makes me legally authorized to live and work in the United States. I was employed as an Executive Chef at [REDACTED] restaurant located at [REDACTED]

[REDACTED] I don't have any criminal record and I maintain a good relationship with my neighbors and co-workers. I'm not a flight risk, evident by my previous grant of bond and my cooperation with re-detention after the Court granted the DHS motion to reconsider. I also have a sponsor who will support me both financially and emotionally till I get my feet back on the floor if released from detention.

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

☐ Yes ☒ No

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

N/A

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding. I pray this Court grant my release from detention or in the alternative a bond hearing in front of an immigration judge.

SIGNATURE OF ATTORNEY (IF ANY)

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

06/22/2026

(DATE)



SIGNATURE OF PETITIONER