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UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

PARDEEP KUMAR,

Petitioner

V.

Civil Action No.:

WARDEN, GOLDEN STATE ANNEX;
Enforcement and Removal
Operations (**ERO**); U.S.
Immigration and Customs
Enforcement (**ICE**); Department
of Homeland Security (**DHS**),

Respondent

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT TO 28 U.S.C. §

2241

INTRODUCTION

This case concerns the constitutional limits on the Government's authority to re-detain a previously released asylum applicant without constitutionally adequate process after more than two years of successful compliance with immigration supervision.

Petitioner Pardeep Kumar is a civil immigration detainee currently confined at Golden State Annex in McFarland, California. He does not challenge the Government's authority to conduct removal proceedings. Nor does he seek relief based solely upon the conditions of his confinement. Rather, Petitioner challenges the legality of his continued detention following his re-arrest by Immigration and Customs Enforcement ("ICE") after more than two years of successful compliance while living in the community.

Petitioner entered the United States on or about May 28, 2024 and was thereafter placed into removal proceedings. DHS served Petitioner with a Notice to Appear charging him as removable under section 212(a)(6)(A)(i) of the Immigration and Nationality Act. Petitioner subsequently filed an application for asylum, withholding of removal, and protection under the Convention Against Torture on

1 December 6, 2024, and his removal proceedings remain
2 pending. He has never received a final order of removal.
3

4 Following his release from immigration custody, Petitioner
5 remained at liberty in the community for more than two
6 years while pursuing his immigration case. During that
7 period, Petitioner complied with immigration requirements,
8 attended every ICE appointment, remained available to
9 immigration authorities, and continued litigating his
10 asylum claim before the Immigration Court. He never
11 absconded. He never missed an ICE reporting appointment. He
12 never failed to appear before the Immigration Court. He has
13 no criminal history whatsoever.
14

15 No Immigration Judge ever found that Petitioner posed a
16 danger to the community. No Immigration Judge ever found
17 that Petitioner presented a flight risk. No neutral
18 decisionmaker determined that Petitioner's detention was
19 necessary. Nor did DHS seek to revoke Petitioner's release
20 through any adversarial proceeding.
21

22 On June 27, 2026, ICE abruptly re-detained Petitioner when
23 he voluntarily appeared for a routine ICE check-in
24 appointment. Petitioner was subsequently transferred to
25

1 Golden State Annex in McFarland, California, where he
2 remains confined.

3
4 The constitutional concerns are particularly acute because
5 Respondents re-detained Petitioner despite possessing
6 direct evidence that less restrictive alternatives had been
7 successful. For more than two years, Petitioner complied
8 with every directive issued by immigration authorities,
9 attended all ICE appointments, appeared for all immigration
10 proceedings, and remained available to DHS. The
11 Government's own experience with Petitioner demonstrates
12 that incarceration is not necessary to secure compliance
13 with immigration supervision.

14
15 Petitioner contends that the Government violated the Due
16 Process Clause of the Fifth Amendment by depriving him of
17 his physical liberty through re-detention without
18 constitutionally adequate process. Recent decisions from
19 this District have recognized that the re-detention of
20 previously released noncitizens without a pre-deprivation
21 hearing before a neutral decisionmaker raises serious
22 constitutional concerns. See *Selis Tinoco v. Noem*, No.
23 1:25-cv-01762-DC-JDP, 2025 WL 3567862 (E.D. Cal. Dec. 14,
24 2025); *Labrador-Prato v. Noem*, No. 1:25-cv-01598-DC-SCR,
25 2025 WL 3458802 (E.D. Cal. Dec. 2, 2025); *D.L.C. v.*

1 *Wofford*, No. 1:25-cv-01996-DC-JDP, 2026 WL 25511 (E.D. Cal.
2 Jan. 5, 2026).

3
4 The urgency of Petitioner's claim is underscored by his
5 rapidly deteriorating mental condition following detention.
6 On June 28, 2026, one day after being detained, Petitioner
7 informed detention staff that he was experiencing suicidal
8 ideation and profound emotional distress. Petitioner
9 explained that despite complying with every requirement
10 imposed upon him for more than two years, he had
11 nevertheless been incarcerated without warning and without
12 any apparent opportunity to secure his release. Petitioner
13 further explained that he fears returning to India because
14 he believes he will be harmed or killed there.

15
16 These facts do not constitute the constitutional violation
17 itself. Rather, they demonstrate the immediate and
18 irreparable harm resulting from Petitioner's ongoing
19 detention and the need for prompt judicial intervention.

20
21 Accordingly, Petitioner seeks a writ of habeas corpus
22 ordering his immediate release from immigration detention.
23 In the alternative, Petitioner requests an order requiring
24 Respondents to provide a constitutionally adequate custody
25 hearing before a neutral decisionmaker within seven days.

FACTUAL BACKGROUND

Petitioner is a native and citizen of India. On or about May 28, 2024, he entered the United States near Mooers, New York. DHS subsequently served Petitioner with a Notice to Appear charging him as removable under section 212(a)(6)(A)(i) of the Immigration and Nationality Act.

Following his entry, DHS released Petitioner from custody and permitted him to remain at liberty while removal proceedings progressed.

On December 6, 2024, Petitioner filed an application for asylum, withholding of removal, and protection under the Convention Against Torture. Petitioner's removal proceedings remain pending. He is currently scheduled to appear before the Immigration Court on August 12, 2026.

Following his release from immigration custody, Petitioner remained at liberty in the community for more than two years. During that period, he complied with immigration requirements, attended every ICE reporting appointment, pursued his immigration case, and remained available to immigration authorities.

- 1 • Petitioner never failed to appear before the
- 2 Immigration Court.
- 3 • Petitioner never failed to appear for an ICE
- 4 appointment.
- 5 • Petitioner never absconded from supervision.
- 6 • Petitioner has no criminal history.
- 7 • No Immigration Judge ever determined that Petitioner
- 8 posed a danger to the community.
- 9 • No Immigration Judge ever determined that Petitioner
- 10 presented a flight risk.
- 11 • No neutral decisionmaker determined that Petitioner's
- 12 detention was necessary.

13

14 Nevertheless, on June 27, 2026, ICE re-detained Petitioner

15 when he voluntarily appeared for a routine ICE appointment.

16 Petitioner was not re-detained because he absconded,

17 violated supervision requirements, committed criminal

18 conduct, or failed to appear for proceedings. To the

19 contrary, Petitioner's detention followed more than two

20 years of successful compliance with immigration

21 supervision.

22

23 Upon information and belief, Respondents did not provide

24 Petitioner with a pre-deprivation hearing before a neutral

25 decisionmaker prior to depriving him of his liberty. Nor

1 was Petitioner provided an opportunity to challenge the
2 factual basis for his re-detention before that deprivation
3 occurred.

4
5 Upon information and belief, Respondents have not issued
6 any individualized custody determination explaining why
7 detention suddenly became necessary after more than two
8 years of successful compliance.

9
10 Respondents have identified no changed circumstance
11 demonstrating that Petitioner suddenly became dangerous,
12 that he became a flight risk, or that detention became
13 necessary after years of release.

14
15 As a result, Petitioner remains confined despite having
16 spent more than two years successfully residing in the
17 community while his removal proceedings remained pending.

18
19 On June 28, 2026, one day after his detention, Petitioner
20 informed detention staff that he was experiencing suicidal
21 ideation. Petitioner explained that he felt hopeless and
22 overwhelmed because he had complied with every requirement
23 imposed by immigration authorities yet nevertheless found
24 himself incarcerated.

1 Petitioner further explained that for more than two years
2 he believed he was finally safe and could build a stable
3 life while pursuing his immigration case. His sudden
4 detention caused him to believe that his efforts to comply
5 with immigration requirements had been meaningless and left
6 him feeling trapped and hopeless.

7
8 Petitioner also explained that he fears returning to India
9 because he believes he will be harmed or killed there.
10 Petitioner remains detained at Golden State Annex.

11
12 **FIRST CLAIM FOR RELIEF**

13
14 **Violation of the Fifth Amendment Due Process Clause Based**
15 **Upon Re-Detention Without Constitutionally Adequate Process**
16

17 Petitioner incorporates by reference all preceding
18 paragraphs as though fully set forth herein.

19
20 The Fifth Amendment provides that no person shall be
21 deprived of liberty without due process of law. U.S. Const.
22 amend. V. Freedom from physical restraint lies at the core
23 of the liberty interests protected by the Due Process
24 Clause. *Zadvydas v. Davis*, 533 U.S. 678, 690 (2001).
25

1 Because immigration detention constitutes a substantial
2 deprivation of liberty, the Government may not deprive an
3 individual of that liberty without constitutionally
4 adequate procedural safeguards. *Mathews v. Eldridge*, 424
5 U.S. 319, 332-35 (1976); *Hamdi v. Rumsfeld*, 542 U.S. 507,
6 529-33 (2004) (plurality opinion).

7
8 Petitioner does not challenge the Government's authority to
9 conduct removal proceedings or its authority to detain
10 noncitizens in appropriate circumstances. Rather,
11 Petitioner challenges the manner in which Respondents
12 deprived him of his physical liberty after he had already
13 been released and permitted to reside in the community for
14 more than two years.

15
16 After entering the United States in May 2024, Petitioner
17 was released from immigration custody and remained at
18 liberty while his removal proceedings were pending. During
19 the ensuing years, Petitioner complied with immigration
20 requirements, attended every ICE reporting appointment,
21 appeared for all immigration court proceedings, pursued his
22 applications for asylum, withholding of removal, and
23 protection under the Convention Against Torture, and
24 remained continuously available to immigration authorities.
25

1 At no point during that period did any neutral
2 decisionmaker determine that Petitioner posed a danger to
3 the community. At no point did any neutral decisionmaker
4 determine that Petitioner presented a flight risk
5 warranting detention. Nor did Respondents initiate any
6 adversarial proceeding through which Petitioner could
7 challenge a proposed deprivation of his liberty.

8
9 To the contrary, Respondents' own experience with
10 Petitioner demonstrated that less restrictive alternatives
11 to detention were successful. For more than two years,
12 Petitioner remained at liberty, complied with immigration
13 supervision requirements, attended all scheduled
14 appointments, and remained available for removal
15 proceedings. Respondents therefore possessed direct
16 evidence that Petitioner could successfully comply with
17 immigration requirements while living in the community.

18
19 Nevertheless, on June 27, 2026, Respondents abruptly re-
20 detained Petitioner and deprived him of his physical
21 liberty without first providing notice, an opportunity to
22 be heard, or a hearing before a neutral decisionmaker.

23
24 The Due Process Clause generally requires notice and an
25 opportunity to be heard before the Government deprives an

1 individual of a protected liberty interest. *Mathews*, 424
2 U.S. at 333. Although the precise procedures required vary
3 depending upon the circumstances, the Supreme Court has
4 repeatedly recognized that the fundamental requirement of
5 due process is the opportunity to be heard at a meaningful
6 time and in a meaningful manner. *Id.*; *Hamdi*, 542 U.S. at
7 533.

8
9 The liberty interest implicated by Petitioner's re-
10 detention is substantial. Petitioner had remained at
11 liberty in the community for more than two years while his
12 removal proceedings remained pending. Having previously
13 been released by the Government and having successfully
14 exercised that liberty for an extended period of time,
15 Petitioner possessed a significant interest in maintaining
16 that liberty absent a constitutionally adequate
17 determination that renewed detention was necessary.

18
19 The risk of erroneous deprivation is likewise substantial.
20 Without any hearing before a neutral decisionmaker,
21 Respondents were able to deprive Petitioner of his liberty
22 without demonstrating that he posed a danger to the
23 community, that he represented a flight risk, or that
24 detention was otherwise necessary. The absence of
25 procedural safeguards creates a substantial risk that

1 individuals who can safely remain at liberty will
2 nevertheless be subjected to incarceration.

3
4 That risk is particularly acute here because Petitioner
5 voluntarily appeared at the very ICE appointment that
6 resulted in his detention. The Government's own evidence
7 therefore demonstrates Petitioner's willingness to comply
8 with immigration supervision. Yet Respondents deprived
9 Petitioner of his liberty without any meaningful
10 opportunity to contest whether detention was actually
11 necessary.

12
13 Additional procedural safeguards would impose only a
14 limited burden upon the Government. A hearing before a
15 neutral decisionmaker would permit meaningful review of the
16 necessity of detention while protecting against arbitrary
17 deprivations of liberty. Such a proceeding would allow
18 consideration of the very facts that Respondents ignored
19 when they re-detained Petitioner, including his complete
20 compliance with supervision, his attendance at all
21 immigration proceedings, his lack of criminal history, and
22 his demonstrated willingness to appear when directed.

23
24 Recent decisions from this District have recognized that
25 the re-detention of previously released noncitizens without

1 constitutionally adequate process raises serious due-
2 process concerns. See *Selis Tinoco v. Noem*, No. 1:25-cv-
3 01762-DC-JDP, 2025 WL 3567862 (E.D. Cal. Dec. 14, 2025);
4 *Labrador-Prato v. Noem*, No. 1:25-cv-01598-DC-SCR, 2025 WL
5 3458802 (E.D. Cal. Dec. 2, 2025); *D.L.C. v. Wofford*, No.
6 1:25-cv-01996-DC-JDP, 2026 WL 25511 (E.D. Cal. Jan. 5,
7 2026).

8
9 The constitutional concerns present here are even more
10 compelling because Respondents have identified no changed
11 circumstance justifying Petitioner's incarceration.

12
13 Petitioner did not abscond. He did not violate supervision
14 requirements. He did not commit criminal conduct. He did
15 not fail to appear for proceedings. Respondents have
16 identified no event occurring between Petitioner's release
17 and his re-detention that transformed him from an
18 individual who could safely remain at liberty into one who
19 required incarceration.

20
21 The question presented by this case is therefore
22 straightforward: after permitting Petitioner to remain free
23 for more than two years while he complied with every
24 requirement imposed upon him, what changed?
25

1 On the present record, the answer appears to be nothing.
2 Under the circumstances presented here, Respondents
3 violated the Due Process Clause by depriving Petitioner of
4 his liberty through re-detention without constitutionally
5 adequate procedural protections.

6
7 As a direct and proximate result of Respondents' actions,
8 Petitioner remains unlawfully deprived of his physical
9 liberty.

10
11 WHEREFORE, Petitioner respectfully requests that this Court
12 issue a writ of habeas corpus ordering his immediate
13 release from immigration detention or, in the alternative,
14 requiring Respondents to provide a constitutionally
15 adequate custody hearing before a neutral decisionmaker
16 within seven days.

17
18 **SECOND CLAIM FOR RELIEF**

19
20 **Violation of the Fifth Amendment Due Process Clause Based**
21 **Upon Continued Detention Without Meaningful Custody Review**
22

23 Petitioner incorporates by reference all preceding
24 paragraphs as though fully set forth herein.
25

1 The Due Process Clause protects against arbitrary
2 governmental restraints on physical liberty. *Zadvydas v.*
3 *Davis*, 533 U.S. 678, 690 (2001). Even where detention is
4 initially authorized by statute, continued detention
5 remains subject to constitutional limitations. *Id.* at 690-
6 91.

7
8 Petitioner has now been detained since June 27, 2026
9 despite having successfully resided in the community for
10 more than two years following his release from immigration
11 custody. During those years, Petitioner complied with
12 immigration requirements, attended every ICE reporting
13 appointment, appeared at every immigration court hearing,
14 pursued his asylum application, maintained contact with
15 immigration authorities, and remained continuously
16 available to DHS.

17
18 At no point since his re-detention has any neutral
19 decisionmaker determined that Petitioner presents a danger
20 to the community.

21
22 Nor has any neutral decisionmaker determined that
23 Petitioner presents a flight risk warranting continued
24 detention.

1 Nor has any neutral decisionmaker determined that detention
2 is necessary to achieve any legitimate governmental
3 objective.

4
5 As a result, Petitioner remains incarcerated without any
6 individualized determination that his continued detention
7 serves a lawful or constitutionally sufficient purpose.

8
9 The Supreme Court has repeatedly emphasized that freedom
10 from bodily restraint occupies a central place among the
11 liberties protected by the Constitution. *Foucha v.*
12 *Louisiana*, 504 U.S. 71, 80 (1992); *Zadvydas*, 533 U.S. at
13 690. Although Congress possesses significant authority over
14 immigration matters, that authority does not extinguish
15 constitutional protections against arbitrary detention.
16 *Zadvydas*, 533 U.S. at 695.

17
18 Petitioner's continued detention is particularly troubling
19 because it follows more than two years of successful
20 compliance in the community. Respondents have identified no
21 changed circumstance demonstrating that Petitioner suddenly
22 became dangerous, that he became a flight risk, or that
23 detention became necessary after years of release.

24
25 Petitioner attended every ICE appointment.

1 Petitioner attended every immigration hearing.

2
3 Petitioner maintained contact with immigration authorities.
4 Petitioner remained at liberty for more than two years
5 without incident.

6
7 Most significantly, Petitioner voluntarily appeared at the
8 very appointment during which he was detained.

9 The Government's own experience with Petitioner therefore
10 demonstrates that less restrictive alternatives have been
11 successful.

12
13 The absence of any meaningful custody review creates a
14 substantial risk that Petitioner will remain detained
15 indefinitely without any individualized determination that
16 detention serves a legitimate governmental purpose.

17
18 Respondents may contend that detention is authorized by 8
19 U.S.C. § 1225(b). Petitioner does not dispute that Congress
20 has authorized detention of certain applicants for
21 admission. The issue presented here, however, is whether
22 the Constitution permits Respondents to continue depriving
23 Petitioner of his physical liberty without any meaningful
24 opportunity to obtain individualized review of whether
25

1 detention remains necessary under the particular facts of
2 his case.

3
4 Nothing in *Jennings v. Rodriguez*, 583 U.S. 281 (2018),
5 resolved that constitutional question. *Jennings* addressed
6 statutory interpretation and expressly declined to decide
7 the constitutional issues presented by immigration
8 detention. *Id.* at 314.

9
10 Likewise, nothing in *Department of Homeland Security v.*
11 *Thuraissigiam*, 591 U.S. 103 (2020), authorizes arbitrary
12 detention without constitutional review. *Thuraissigiam*
13 concerned the scope of habeas review in the expedited-
14 removal context. It did not address the constitutional
15 implications of re-detaining a previously released
16 individual who has lived in the United States for years
17 while pursuing pending removal proceedings.

18
19 Nor does *Demore v. Kim*, 538 U.S. 510 (2003), resolve the
20 issues presented here. *Demore* involved the initial
21 detention of a lawful permanent resident during removal
22 proceedings and rested heavily upon Congress's findings
23 concerning a specific category of criminal noncitizens. *Id.*
24 at 518-31. Petitioner is not challenging the Government's
25 authority to detain noncitizens in the first instance.

1 Rather, Petitioner challenges Respondents' continued
2 incarceration of an individual who was previously released
3 and who thereafter demonstrated more than two years of
4 successful compliance with immigration supervision.

5
6 The constitutional concerns presented here are heightened
7 by Petitioner's demonstrated history of compliance. The
8 Government's interest in continued detention is
9 significantly diminished where the detainee has already
10 established a lengthy history of compliance with
11 immigration requirements and has repeatedly demonstrated
12 his willingness to appear for proceedings.

13
14 Indeed, Respondents possess stronger evidence of
15 Petitioner's compliance than exists in many detention
16 cases. Petitioner's appearance at the June 27, 2026 ICE
17 appointment was entirely voluntary. That appearance
18 provided direct evidence that Petitioner remained willing
19 to comply with immigration supervision and to present
20 himself when requested by DHS.

21
22 Despite that evidence, Respondents continue to incarcerate
23 Petitioner without any individualized determination that
24 detention remains necessary.

1 The Constitution requires more.

2
3 At a minimum, due process requires a meaningful opportunity
4 to challenge continued detention before a neutral
5 decisionmaker capable of evaluating whether incarceration
6 remains necessary under the particular circumstances of the
7 case.

8
9 Under the totality of the circumstances, Petitioner's
10 continued detention without meaningful custody review
11 violates the Due Process Clause of the Fifth Amendment.
12 As a direct and proximate result of Respondents' actions,
13 Petitioner remains unlawfully deprived of his liberty.

14
15 WHEREFORE, Petitioner respectfully requests that this Court
16 issue a writ of habeas corpus ordering his immediate
17 release from immigration detention or, in the alternative,
18 requiring Respondents to provide a constitutionally
19 adequate custody hearing before a neutral decisionmaker
20 within seven days.

21
22 **IRREPARABLE HARM AND NEED FOR EXPEDITED HABEAS RELIEF**

23
24 Petitioner respectfully submits that expedited
25 consideration of this habeas petition is necessary because

1 his continued detention is causing ongoing and substantial
2 harm to his mental and emotional health.

3
4 This case does not involve a detainee who was taken into
5 custody immediately upon entry into the United States.
6 Rather, Petitioner spent more than two years living in the
7 community while pursuing his immigration case. During that
8 period, Petitioner complied with immigration requirements,
9 attended every ICE appointment, remained available to
10 immigration authorities, and continued pursuing lawful
11 relief from removal.

12
13 For more than two years, Petitioner believed that he was
14 finally safe from the dangers he fled in India and that he
15 could pursue his asylum claim through lawful immigration
16 procedures. Petitioner complied with every requirement
17 imposed upon him because he believed that compliance would
18 allow him to continue pursuing his case while remaining at
19 liberty.

20
21 The sudden loss of liberty following more than two years of
22 successful compliance has had a devastating emotional
23 impact.

1 On June 28, 2026, one day after being detained, Petitioner
2 informed detention staff that he was experiencing suicidal
3 ideation. Petitioner explained that he felt hopeless,
4 overwhelmed, and emotionally devastated by his sudden
5 incarceration. Petitioner reported that despite complying
6 with every requirement imposed by immigration authorities
7 for more than two years, he nevertheless found himself
8 detained without warning and without any apparent
9 opportunity to secure his release.

10
11 Petitioner further explained that he fears returning to
12 India because he believes he will be harmed or killed
13 there. The prospect of prolonged detention coupled with the
14 fear of eventual removal has caused significant
15 psychological distress and despair.

16
17 Since entering immigration custody, Petitioner has
18 experienced severe anxiety, depression, emotional distress,
19 hopelessness, and suicidal ideation. Petitioner continues
20 to fear that his mental condition will deteriorate further
21 if he remains confined.

22
23 These facts are not asserted as independent conditions-of-
24 confinement claims. Petitioner does not seek habeas relief
25 merely because detention is unpleasant or because he

1 disagrees with the manner in which detention is
2 administered. Rather, these facts demonstrate the concrete
3 and irreparable consequences flowing directly from the
4 deprivation of liberty challenged in this petition and
5 underscore the urgent need for judicial review of the
6 constitutional claims presented herein.

7
8 Courts have repeatedly recognized that the loss of
9 constitutional freedoms constitutes irreparable injury.
10 *Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir. 2012).
11 Likewise, the Ninth Circuit has recognized that ongoing
12 constitutional violations and deprivations of liberty
13 constitute irreparable harm warranting injunctive relief.
14 *Hernandez v. Sessions*, 872 F.3d 976, 994-95 (9th Cir.
15 2017).

16
17 The injury at issue here extends beyond Petitioner's
18 deteriorating psychological condition. The deprivation of
19 physical liberty itself constitutes irreparable harm. The
20 Supreme Court has repeatedly recognized that freedom from
21 physical restraint lies at the heart of the liberty
22 protected by the Due Process Clause. *Zadvydas v. Davis*, 533
23 U.S. 678, 690 (2001); *Foucha v. Louisiana*, 504 U.S. 71, 80
24 (1992).

1 Every additional day that Petitioner remains detained
2 pursuant to procedures that violate the Constitution
3 constitutes a continuing injury that cannot be adequately
4 remedied after the fact. No subsequent award of damages can
5 restore lost time spent in unconstitutional detention. Nor
6 can monetary relief adequately compensate for worsening
7 depression, severe emotional distress, hopelessness, or the
8 risk of self-harm.

9
10 The urgency of Petitioner's circumstances is particularly
11 significant because he was successfully residing in the
12 community for more than two years before being re-detained.
13 During that period, Petitioner pursued his immigration case
14 while living at liberty and without experiencing the severe
15 psychological deterioration presently associated with
16 confinement. The injuries described herein therefore arise
17 directly from the deprivation of liberty challenged in this
18 petition.

19
20 Moreover, Respondents are fully aware of Petitioner's
21 deteriorating mental condition. Petitioner reported
22 suicidal ideation to detention staff on June 28, 2026.
23 Respondents therefore possess actual notice that
24 Petitioner's continued detention is causing severe
25

1 psychological harm and creating a substantial risk of
2 further deterioration.

3
4 Under these circumstances, continued detention threatens
5 irreparable injury to Petitioner's mental health while
6 simultaneously prolonging the unconstitutional deprivation
7 of his liberty.

8
9 Accordingly, Petitioner respectfully requests that this
10 Court adjudicate the present petition on an expedited basis
11 and grant appropriate habeas relief before Petitioner's
12 condition deteriorates further.

13
14 **PRAYER FOR RELIEF**

15
16 WHEREFORE, Petitioner respectfully requests that this
17 Court:

18
19 A. Issue a writ of habeas corpus pursuant to 28 U.S.C. §
20 2241;

21
22 B. Declare that Petitioner's re-detention and continued
23 detention violate the Due Process Clause of the Fifth
24 Amendment to the United States Constitution;

1 C. Order Petitioner's immediate release from immigration
2 detention pending completion of removal proceedings;

3
4 D. Enjoin Respondents, their officers, agents, employees,
5 successors, and all persons acting in concert with them
6 from re-detaining Petitioner absent a constitutionally
7 adequate determination by a neutral decisionmaker that
8 detention is necessary;

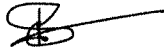
9
10 E. In the alternative, should the Court decline to order
11 immediate release, require Respondents to provide
12 Petitioner with a constitutionally adequate custody hearing
13 before a neutral decisionmaker within seven (7) days of the
14 Court's order;

15
16 F. Enjoin Respondents from transferring Petitioner outside
17 the Eastern District of California during the pendency of
18 these proceedings absent prior authorization from this
19 Court;

20
21 G. Grant any additional relief that law and justice
22 require.

1 Respectfully submitted,

2 Dated: JULY 01, 2026

3 

4
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