

ATILMIS MEHMET

NAME

PRISON NUMBER

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

1572 Gateway Road

ADDRESS

FILED

Jul 01 2026

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY s/ GW DEPUTY

United States District Court
Southern District Of California

ATILMIS MEHMET

(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. '26CV3842 CAB BJW

(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:
U.S. Department of Homeland Security (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: _____
Immigration Court Imperial, California 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): _____

- (d) Date of the decision or action: 06/01/2026
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: BIA (Board of Immigration Appeals)
- (2) Date of filing: 6/15/2026
- (3) Case number, docket number or opinion number 
- (4) Result: Pending
- (5) Date of result: Pending
- (6) Issues raised: _____

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

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: _____

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: _____

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 for 4 months in Immigration Custody. Ninth Circuit has recognized the six-month bright-line rule.

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

I have been currently detained for 4 months in Immigration Custody, two month shy of the six-month bright-line rule recognized by the Ninth Circuit. However, due to the unconstitutional arrest that has resulted in my continued detention my situation is unusually unique when compared to others similarly situated who may have been detained past the six month brightline rule.

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

☐ Yes ☒ No

GROUND TWO: I am untitled to due process under the Fifth Amendment of the United States Constitution.

(a) **Supporting FACTS** (state *briefly* without citing cases or law): It's well-settled that the Fifth Amendment entitles aliens to due process in deportation proceedings.

The due process clause appies to all persons within the United States including aliens, whether their presence here is lawful, unlawful, temporary or permanent.

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

☐ Yes ☒ No

GROUND THREE: Petitioner's due process right to a fair hearing and a meaningful opportunity to contest his re-arrest was violated.

(a) **Supporting FACTS** (state *briefly* without citing cases or law):
Petitioner was paroled into the United States on April 17, 2023. Petitioner adhered to every term and condition his parole. Therefore, the re-arrest without cause and a meaningful opportunity to contest his rearrest is a violation of Petitioner's due process right. In such a hearing, Petitioner is entitled to a neutral arbiter, an opportunity to confront adverse witnesses an opportunity to meaningfully present evidence in his defense. Given that this not occur Petitioner's arrest without such a process is a violation of his due process rights.

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

☐ Yes ☒ No

GROUND FOUR: There is not significant likelihood of my release from detention in the
near future.

(a) **Supporting FACTS** (state *briefly* without citing cases or law): Immigration Judge ordered my removal on June 1, 2026. A am currentlu appealing
the decision to the BIA (Board of Immigration Appeals). The condition of my conf
inment has been affecting me mentally, emotionally, psychologically and health
wise. Most of the times, I am in great distress and deeply depressed. I have diffcul
ties with my memory I am stressed. There is no access to internet and therefore
I am disconnected from the world with little or no communication to my family
and loved ones. When we go out for recreation, we are confined behind barbed
wired fences with little space to move around.

(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 was no cause to present these grounds in Federal or State Court.

