

1 civil immigration detention by the US Department of Homeland Security (“DHS”). Petitioner is
2 currently being detained at the Golden State Annex in McFarland, California under the custody of the
3 facility’s Warden. Exh. A.

4 Mr. Dong was taken into custody by Immigration and Customs Enforcement (“ICE”) on June
5 24, 2026 when he went to a periodic check-in with ICE at the docket control office at the ICE facility
6 in San Francisco. *Id.* The Petitioner had previously been detained for a short time when he entered
7 the United States through the Southern Border on December 23, 2023.

8 The Petitioner, Mr. Dong, seeks immediate release in view of his statutory and constitutional
9 due process rights. There is no final order of removal pending against Mr. Dong, and therefore the
10 government must establish that he is a flight risk or a danger to society in order to detain him. *See*
11 INA §236, 8 USC §1226; *discussed in detail infra*. DHS has presented no evidence that Mr. Dong is
12 a flight risk or a danger to society. Mr. Dong has complied with all requirements of ICE since
13 arriving in the country, and has not, for instance missed any check-in appointments. The Immigration
14 Court has therefore imposed an illegal detention under and this Court should immediately issue an
15 Order releasing Mr. Dong.

16 **FACTUAL BACKGROUND**

17 Petitioner, Mr. Dong, is a citizen and native of the Peoples Republic of China. He fled
18 persecution in China and made the dangerous journey to the United States to seek asylum. Exh. B.
19 Mr. Dong has consistently demonstrated compliance with immigration authorities throughout his
20 interactions with US authorities since arriving in the United States.

21 Petitioner last entered the United States on or about December 18, 2023 through the Southern
22 Border without inspection, at or near Tecate, California. *Id.* Soon after entry Mr. Dong encountered
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1 the US Border Patrol and surrendered. He was briefly detained and released on his own
2 recognizance. Exh. C.

3 Petitioner timely filed a Form I-589 and sought asylum, withholding of removal and
4 protection under the Convention Against Terror. Exh. B.

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6 On July 1, 2024, Petitioner was cited for misdemeanor diving while under the influence of
7 alcohol. Exh. D. The case was resolved on March 19, 2025 with the suspension of a Court Probation
8 Misdemeanor sentence. Exh. E; *discussed in detail infra*.

9 On September 20, 2025, Mr. Dong married Caimian Ma. Ms. Ma is also seeking asylum in
10 the United States, and the couple have consolidated their cases for adjudication in immigration court.
11 Exh. F.

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13 On March 28, 2026, Petitioner was cited for driving while under the influence. Exh F. This
14 case has not yet been adjudicated. Exh. G.

15 Mr. Dong was taken into custody on June 24, 2026 at a check-in at the ICE facility in San
16 Francisco and is now being held in detention at Golden State Annex in McFarland, California under
17 the custody of the facility's Warden. Exh. A.

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19 Petitioner now faces indefinite detention without any mechanism for individualized custody
20 review (a bond reassessment hearing), and he remains confined under restrictive penal-like
21 conditions.

22 Mr. Dong is not a threat to the community or a flight risk, and therefore his detention violates
23 the INA, the Due Process Clause of the Fifth Amendment of the US Constitution, and fundamental
24 constitutional protections against arbitrary and indefinite detention. Petitioner therefore seeks
25 immediate judicial intervention to secure his release.
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27 **JURISDICTION AND VENUE**
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1 This is an action arising under the Constitution of the United States and the Immigration and
2 Nationality Act (“INA”), 8 USC §1101 *et seq.*

3 This Court has subject matter jurisdiction under 28 USC §2241 (habeas corpus), 28 USC
4 §1331 (federal question), and Article I, §9, Cl. 2 of the US Constitution (Suspension Clause).
5 This Court may grant relief under the habeas corpus statute, 28 USC §2201 *et seq.*, and the All Writs
6 Act, 28 USC §1651.
7

8 Federal district courts have jurisdiction to hear habeas claims brought by noncitizens
9 challenging the lawfulness of their detention. *See Demore v. Kim*, 538 US 510, 516-17 (2003)
10 (recognizing habeas jurisdiction over immigration detention challenges); *Zadvydas v. Davis*, 533 US
11 678, 687 (2001) (same); *Soberanes v. Comfort*, 388 F.3d 1305, 1310 (10th Cir. 2004) (“Challenges to
12 immigration detention are properly brought directly through habeas”).
13

14 Venue is proper because Petitioner is detained at the Golden State Annex in McFarland,
15 California, which resides within the jurisdiction of the Eastern District of California. Venue is also
16 proper in this District because Respondents are officers, employees, or agencies of the United States.
17 *See* 28 USC §§1391(b) and (e)(1); *see also, United States v. Scott*, 803 F. 2d 1095, 1096 (10th Cir.
18 1986) (“A §2241 petition for a writ of habeas corpus must be addressed to the federal district court in
19 the district where the prisoner is confined.”)
20

21 PARTIES

22 Petitioner, **Jianlong Dong**, is a citizen and national of Peoples Republic of China who is
23 currently detained at the Golden State Annex in McFarland, California. He is held in the custody of
24 the United States Department of Homeland Security and brings this habeas petition to challenge the
25 legality of his ongoing civil immigration detention.
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1 Respondent **Markwayne Mullin** is sued in his official capacity as the Secretary of the U.S.
2 Department of Homeland Security ("DHS"). In this capacity, Respondent is responsible for the
3 implementation and enforcement of the Immigration and Nationality Act, and oversees U.S.
4 Immigration and Customs Enforcement, the component agency responsible for Petitioner's detention
5 and custody. Respondent is a legal custodian of Petitioner.
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7 Respondent **Todd Blanche** is sued in his official capacity as the Acting Attorney General of
8 the United States and the senior official of the U.S. Department of Justice (DOJ). In that capacity, he
9 has the authority to adjudicate removal cases and to oversee the Executive Office for Immigration
10 Review (EOIR), which administers the immigration courts and the BIA. Respondent is a legal
11 custodian of Petitioner.
12

13 Respondent **Todd Lyons** is sued in his official capacity as the Acting Director of the U.S.
14 Immigration and Customs Enforcement. Respondent is a legal custodian of Petitioner and has
15 authority to release him.
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17 Respondent **Sergio Albarran**, Field Office Director of the USCIS Bakersfield, issued in his
18 official capacity. These official exercises supervisory responsibility over immigration functions
19 relevant to Petitioner's detention and the processing of matters that affect her custody and
20 immigration status.

21 Respondent, **Warden Golden State Annex in McFarland, California**, is Petitioner's
22 immediate custodian. The Warden maintains direct physical custody of Petitioner pursuant to the
23 facility's contract with U.S. Immigration and Customs Enforcement ("ICE") to detain noncitizens
24 and is a legal custodian of Petitioner. Respondent is a legal custodian of Petitioner.
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Respondent, **Sergio Albarran**, Field Office Director of Enforcement and Removal Operations, ERO San Francisco Field Office, Immigration and Customs Enforcement is responsible for the ERO San Francisco Field Office, which is responsible for the Golden Gate Annex.

ADMINISTRATIVE REMEDIES

Petitioner's continued detention in ICE custody cannot be challenged by way of bond proceeding before an Immigration Judge, because the BIA and Immigration Judges continue to rely on *Matter of Q. Li*, 29 I&N Dec. 66 (BIA 2025) and *Matter of Yajure Hurtado*, 29 I&N Dec. 216 (BIA 2025) and therefore they will not allow challenges of the bond designation. Futility is an exception to the prudential exhaustion requirement. In the present case, Respondents are unlawfully detaining Mr. Dong. Therefore, a writ of habeas corpus is the sole avenue to vindicate Mr. Dong's constitution, statutory and regulatory rights and restore his liberty.

LEGAL FRAMEWORK

The INA prescribes three basic forms of detention for noncitizens in removal proceedings. First, 8 U.S.C. § 1226(a) authorizes the detention of noncitizens in standard non-expedited removal proceedings before an IJ. See 8 § 1226(a); 8 U.S.C. §1229a. Individuals in section 1226(a) detention are entitled to a bond hearing at the outset of their detention, see 8 C.F.R. §§ 1003.19(a), 1236.1(d). This is the portion of the statute under which Mr. Dong is being detained, but he has not received a bond determination. Noncitizens who have been arrested, charged with or convicted of certain enumerated crimes, etc., appearing in or referenced by this section are subject to mandatory detention under 8 U.S.C. § 1226(c), only if they have been convicted of one or more of several crimes enumerated and referenced in that section, none of which apply to Mr. Dong. They may also be detained if they are deemed to be a danger to community safety or a flight risk. *Discussed infra.*

1 Second, the INA provides for mandatory detention of noncitizens subject to expedited
2 removal under 8 U.S.C. § 1225(b)(1) and for other recent arrivals seeking admission referred to under
3 8 U.S.C. § 1225(b)(2). This does not apply to Mr. Dong.

4 Finally, the Act also provides for detention of noncitizens who have been previously ordered
5 removed, including individuals in withholding-only proceedings, see 8 U.S.C. § 1231(a)–(b). This
6 also does not apply to Mr. Dong because he has not been ordered previously removed.

8 The detention provisions at section 1226(a) and 1225(b)(2) were enacted as part of the Illegal
9 Immigration Reform and Immigrant Responsibility Act (“IIRIRA”) of 1996, Pub. L. No. 104–208,
10 Div. C, §§ 302–03, 110 Stat. 3009–546, 3009–582 to 3009–583, 3009–585. Section 1226(c) was most
11 recently amended earlier this year by the LRA, Pub. L. No. 119–1, 139 Stat. 3 (2025).

13 Following enactment of the IIRIRA, the Executive Office of Immigration Review drafted new
14 regulations explaining that, in general, people who entered the country without inspection were not
15 considered detained under section 1225 and that they were instead detained under section 1226(a).
16 *See* Inspection and Expedited Removal of Aliens; Detention and Removal of Aliens; Conduct of
17 Removal Proceedings; Asylum Procedures, 62 Fed. Reg. 10312, 10323 (Mar. 6, 1997). In the decades
18 that followed, most noncitizens who entered without inspection—unless they were subject to some
19 other detention authority—received bond hearings. This practice was also consistent with the practice
20 prior the enactment of the IIRIRA, in which noncitizens who were not deemed “arriving” were
21 entitled to a custody hearing before an IJ or other hearing officer. *See* 8 U.S.C. § 1252(a) (1994); *see*
22 also H.R. Rep. No. 104–469, pt. 1, at 229 (1996) (noting that section 1226(a) simply “restates” the
23 detention authority previously found at section 1252(a)).

26 On July 8, 2025, DHS issued a memo to all employees of Immigration and Customs
27 Enforcement (“ICE”) stating that “[t]his message serves as notice that DHS, in coordination with the
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1 Department of Justice (DOJ), has revisited its legal position on detention and release authorities.
2 DHS has determined that section 235 of the Immigration and Nationality Act (INA) [8 U.S.C. §
3 1225], rather than section 236 [8 U.S.C. § 1226], is the applicable immigration detention authority for
4 all applicants for admission. The following interim guidance is intended to ensure immediate and
5 consistent application of the Department's legal interpretation while additional operational guidance
6 is developed.”

8 As a result, DHS now considers all noncitizens who have entered the United States without
9 inspection and are subject to the grounds of inadmissibility, including longtime U.S. residents to be
10 subject to mandatory detention under section § 1225(b) and ineligible for release on bond.
11 Conversely, according to DHS “[t]he only aliens eligible for a custody determination and release on
12 recognizance, bond, or other conditions under INA § 236(a) [8 U.S.C. § 1226(a)] during removal
13 proceedings are aliens admitted to the United States and chargeable with deportability under INA §
14 237, with the exception of those subject to mandatory detention under INA § 236(c) [8 U.S.C. §
15 1226(c)].” *Id.*

17 On September 5, 2025, the BIA issued a precedential decision in *Matter of Yajure Hurtado*,
18 29 I&N Dec. 216 (BIA 2025) holding that, based on the plain language of 8 U.S.C. § 1225(b)(2)(A),
19 IJs lack authority to hear bond requests or to grant bond to noncitizens who are present in the United
20 States without admission. Challenges to this decision are working their way through the court system
21 in various judicial districts, but in the Eastern District of California, *Yajure* remains in force.

22
23 **COUNT I: UNLAWFUL DETENTION IN VIOLATION OF THE IMMIGRATION
24 AND NATIONALITY ACT (INA) AND IMPLEMENTING
25 REGULATIONS**

26 Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully
27 set forth herein.
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1 Broadly, the Immigration and Nationality Act authorizes immigration detention only when it
2 serves a legitimate statutory purpose—namely, to ensure an individual’s appearance at future
3 proceedings or to protect public safety. INA §236, 8 USC §1226; *see Zadvydas v. Davis*, 533 U.S.
4 678, 690 (2001); *Clark v. Martinez*, 543 U.S. 371, 381 (2005). Detention that does not advance those
5 purposes, or that becomes arbitrary and indefinite, exceeds the government’s statutory authority.
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7 Under this standard, Mr. Dong should not have been detained, and therefore the District Court
8 should step in and end this detention. Petitioner is a citizen and national of China who entered the
9 United States seeking protection and was subsequently placed in removal proceedings under section
10 240 of the Immigration and Nationality Act, and he should not have been detained. The INA does
11 not authorize indefinite detention of a noncitizen who has no final order of removal, who poses no
12 danger or flight risk, and who has not been afforded an opportunity to present evidence regarding
13 custody. *Supra*.
14

15 Mr. Dong is not a threat to the community. He was been cited for misdemeanors twice which
16 is not evidence of Mr. Dong being a threat to community safety. *Supra*. There are no statutory
17 guidelines regarding what factors are relevant when making a determination about danger to the
18 community. The District Court should therefore look to the attitude of the authorities to Mr. Dong’s
19 infractions to determine whether they felt they were dealing with a threat to the community. In Mr.
20 Dong’s case, as noted above, the charges were misdemeanors stemming from a traffic stops and
21 resulted in a suspended sentence, with the second charge still pending. The authorities in the closest
22 proximity, with the most accurate and detailed information regarding the events in question, clearly
23 did not believe the community would be detrimentally affected by Mr. Dong’s presence. This is
24 evidence that Mr. Dong is not a threat to public safety.
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1 Regarding whether Mr. Dong is a flight risk or not, as an asylum applicant Mr. Dong is
2 desperately trying to stay in the United States, and he has been complying with all instructions from
3 ICE, and attending all hearings and check-ins. Mr. Dong claims to have been persecuted due to his
4 religious beliefs in China, and this gives him an important incentive to continue to appear. He
5 therefore does not represent a flight risk. Petitioner's continued detention—without individualized
6 assessment, without statutory justification of why he is deemed a flight risk, and without any realistic
7 prospect of removal in the reasonably foreseeable future—exceeds the narrow detention authority
8 granted by the INA and violates controlling Supreme Court precedent limiting civil immigration
9 detention to purposes expressly authorized by Congress.
10

11 “The purpose of denying bond if the respondent is deemed a danger to the community is
12 twofold: (1) to ensure the appearance at future hearings, and (2) to prevent further criminal activity.”
13 *Matter of Kotliar*, 24 I&N Dec. 124, 127 (BIA 2007). Accordingly, Petitioner's ongoing re-detention
14 is unlawful under the Immigration and Nationality Act, its implementing regulations, and established
15 constitutional principles. Petitioner respectfully requests that this Court order his immediate release.
16

17 **COUNT II: VIOLATION OF THE DUE PROCESS CLAUSE OF THE FIFTH**
18 **AMENDMENT TO THE U.S. CONSTITUTION**

19 Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully
20 set forth herein.
21

22 ICE's power to arrest a noncitizen who is at liberty is constrained by the demands of due
23 process. *See Hernandez v. Sessions*, 872 F.3d 976, 981 (9th Cir. 2017) (“the government's discretion
24 to incarcerate non-citizens is always constrained by the requirements of due process”). “It is well
25 established that the Fifth Amendment entitles [noncitizens] to due process of law in deportation
26 proceedings.” *Demore v. Kim*, 538 U.S. 510, 523 (2003) (quoting *Reno v. Flores*, 507 U.S. 292, 306
27 (1993)). “Freedom from imprisonment—from government custody, detention, or other forms of
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1 physical restraint—lies at the heart of the liberty” that the Due Process Clause protects. *Zadvydas v.*
2 *Davis*, 533 U.S. 678, 690 (2001); see also *id.* at 718 (Kennedy, J., dissenting) (“Liberty under the Due
3 Process Clause includes protection against unlawful or arbitrary personal restraint or detention.”)

4 ICE has detained Petitioner potentially indefinitely. There is currently no statutory or
5 administrative mechanism available for individualized custody review pursuant to detention under
6 1226(c). This kind of ongoing incarceration under penal-like conditions despite pursuing his asylum
7 claims in good faith is unconscionable.

9 Petitioner’s liberty from immigration custody and his weighty interest in avoiding
10 incarceration is protected by the Due Process Clause. *See Zadvydas*, 533 U.S. at 690 (“Freedom from
11 imprisonment...lies at the heart of the liberty” that the Due Process Clause protects); *Morrissey v.*
12 *Brewer*, 408 U.S. 471, 482-483 (1972) (holding that a parolee has a protected liberty interest in his
13 conditional release); *Young v. Harper*, 520 U.S. 143, 146-47 (1997); *Gagnon v. Scarpelli*, 411 U.S.
14 778, 781-82 (1973).

16 Immigration detention implicates a fundamental liberty interest. Prolonged detention without
17 a meaningful opportunity to challenge confinement violates the core due process guarantees of
18 notice, the right to be heard, and adjudication by a neutral decisionmaker.

20 Accordingly, Petitioner’s continued incarceration without a proper individualized custody
21 determination violates the Due Process Clause of the Fifth Amendment. Habeas relief is warranted to
22 remedy these constitutional violations by ordering his immediate release.

23 **COUNT III: VIOLATION OF THE ADMINISTRATIVE PROCEDURE ACT –**
24 **ARBITRARY AND CAPRICIOUS AGENCY ACTION**

25 Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully
26 set forth herein.
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1 The Administrative Procedure Act (APA), 5 U.S.C. § 706(2), requires courts to hold unlawful
2 and set aside agency actions that are arbitrary, capricious, an abuse of discretion, or otherwise not in
3 accordance with law. Under this standard, an agency must articulate a rational connection between
4 the facts found and the choices made, and it must provide an adequate explanation for its actions
5 consistent with statutory authority. *See Judulang v. Holder*, 565 U.S. 42, 55 (2011). As discussed
6 *supra*, citations for infractions such as DUI do not constitute evidence of a danger to the community
7 or a flight risk, and Mr. Dong's infractions do not constitute crimes enumerated or referenced under 8
9 USC §1226(c). And at any rate, DHS and ICE have not offered an explanation as to how they do
10 relate to public safety or flight risk in this particular case. This renders Mr. Dong's incarceration
11 arbitrary and capricious, etc. The details of Mr. Dong's misdemeanor DUI experience did not cause
12 the civil authorities of the community to consider Mr. Dong a threat to public safety (his case was
13 suspended, and he remained at liberty). This is evidence that DHS and ICE incarcerated Mr. Dong
14 without any individualized justification and have failed to consider the totality of the case. This also
15 is capricious and arbitrary.

16
17 Despite these facts, DHS is intent on maintaining Petitioner's potentially indefinite detention
18 without providing any reasoned explanation or evidence that continued confinement serves a
19 legitimate statutory purpose. Mr. Dong was taken into custody while reporting to a scheduled check-
20 in with ICE. There is no basis for holding Mr. Dong as a flight risk. DHS has failed to articulate
21 why release under supervision, bond, or other alternatives would be insufficient.

22
23 DHS has therefore acted in a manner that is arbitrary, capricious, an abuse of discretion, and
24 not in accordance with law. Its continued detention of Petitioner must be set aside under 5 U.S.C. §
25 706(2)(A).
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1 Habeas relief is warranted to remedy this unlawful agency conduct. Petitioner respectfully
2 requests that this Court order his immediate release consistent with the requirements of the
3 Immigration and Nationality Act.

4 **COUNT IV: VIOLATION OF THE EQUAL PROTECTION GUARANTEE OF THE**
5 **FIFTH AMENDMENT**

6 Petitioner re-alleges and incorporates by reference the preceding paragraphs as though fully
7 set forth herein.

8 The Due Process Clause of the Fifth Amendment contains an implicit guarantee of equal
9 protection that applies to all persons within the United States, including noncitizens physically
10 present, regardless of their immigration status. *See Reno v. Flores*, 507 U.S. 292, 302 (1993); *Plyler*
11 *v. Doe*, 457 U.S. 202, 210 (1982). The government may not selectively apply immigration laws or
12 policies in a manner that discriminates against a particular nationality or class of individuals without
13 a rational and legitimate governmental purpose.
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15 ICE's apparent sole reliance on Mr. Dong's DUI arrests lacks rational connection to any
16 legitimate reason for detaining him. There is no basis for finding it, or any other activity engaged in
17 by Mr. Dong, represents evidence of flight risk or a danger to the community. *Discussed supra*.
18 Other people are not detained under these or analogous circumstances; disparate treatment based
19 solely on disputed and unreviewed facts, is arbitrary and not rationally related to the goals of
20 protecting public safety. *See Zadvydas*, 533 U.S. at 690 (civil detention must relate to its permissible
21 purposes).
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23 Moreover, the Ninth Circuit has recognized that immigration detention classifications must
24 comport with basic fairness and may not be applied in an arbitrary or discriminatory manner. *Singh v.*
25 *Holder*, 638 F.3d 1196, 1203–05 (9th Cir. 2011) (government must justify detention with
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1 individualized evidence); *Rodriguez v. Robbins*, 804 F.3d 1060, 1074–76 (9th Cir. 2015) (due process
2 prohibits prolonged detention without meaningful review).

3 DHS has provided no individualized or rational explanation or evidence related to why
4 Petitioner, unlike others in the same legal position, is denied access to an individualized custody
5 determination. This unequal treatment violates the equal protection component of the Fifth
6 Amendment.
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8 Petitioner's continued incarceration under a discriminatory and arbitrary detention
9 classification violates constitutional guarantees of equal protection and further underscores the
10 unreasonableness and unlawfulness of his confinement.
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12 Habeas relief is therefore warranted to remedy this unconstitutional disparate treatment by
13 ordering Petitioner's immediate release just like similarly situated noncitizens.

14 **COUNT V: VIOLATION OF THE SUSPENSION CLAUSE OF THE UNITED STATES**
15 **CONSTITUTION**

16 Petitioner re-alleges and incorporates by reference all preceding paragraphs as though fully
17 set forth herein.

18 The Suspension Clause of the United States Constitution provides that “[t]he Privilege of the
19 Writ of Habeas Corpus shall not be suspended, unless when in Cases of Rebellion or Invasion the
20 public Safety may require it.” U.S. Const. art. I, § 9, cl. 2. The Clause guarantees the availability of
21 judicial review to challenge the lawfulness of executive detention. *Boumediene v. Bush*, 553 U.S.
22 723, 745–46 (2008); *INS v. St. Cyr*, 533 U.S. 289, 300–05 (2001).
23

24 Habeas corpus remains available to all persons in the United States who are detained by
25 executive authority, including noncitizens in civil immigration custody. The Supreme Court has made
26 clear that Congress may not eliminate all avenues of meaningful judicial review of the legality of
27 detention. *St. Cyr*, 533 U.S. at 305–06.
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1 Petitioner is detained solely pursuant to civil immigration authority. He is pursuing his claim
2 for asylum, withholding, and Convention Against Torture in good faith. ICE has provided no
3 discretionary parole review or a proper case-specific custody assessment citing reasons why the
4 Petitioner has been detained. As elucidated above, no alternative remedy exists outside of habeas
5 corpus through which Petitioner may obtain judicial review of the legality of his ongoing and
6 repeated confinement. Neither the Immigration Courts nor the Board of Immigration Appeals
7 possess jurisdiction to review custody challenges arising from DHS's mandatory-detention
8 classification.
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10 The Suspension Clause forbids the government from creating a detention scheme that
11 eliminates all meaningful opportunity for detainees to test the legality of their confinement.
12 *Boumediene*, 553 U.S. at 779 ("The writ must be effective."). Where no adequate substitute exists,
13 habeas review is constitutionally required. *St. Cyr*, 533 U.S. at 305.
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15 Petitioner's detention, which is apparently meant to be indefinite, and is wholly insulated
16 from individualized review, triggers the core protections of the Suspension Clause. Without access to
17 habeas relief, Petitioner would have no mechanism—judicial or administrative—to contest the
18 legality of his civil confinement.
19

20 The government's detention of Mr. Dong under 8 USC 1231(a)(c) categorically bars all
21 custody review, which violates the Suspension Clause by depriving Petitioner of an effective and
22 constitutionally required means to challenge unlawful detention.
23

24 Accordingly, habeas corpus relief is required. Petitioner respectfully requests that this Court
25 order his immediate release.
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26 PRAYER FOR RELIEF

27 WHEREFORE, Petitioner respectfully requests this Court to grant the following:
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1 (1) Assume jurisdiction over this matter;

2 (2) Pursuant to 28 U.S.C. § 2243, issue an order to show cause directing Respondents
3 to file a return within three (7) days, absent good cause for a short extension not exceeding ten
4 days;

5 (3) Enjoin Respondents from transferring Petitioner during the pendency of the instant
6 action;

7 (4) Declare that Petitioner's continued detention violates the Immigration and
8 Nationality Act, 8 U.S.C. § 1231(a)(2); the Administrative Procedure Act, 5 U.S.C. §
9 706(2)(A); the Due Process Clause of the Fifth Amendment to the U.S. Constitution; and/or
10 this Court's order in the previous habeas petition filed by the Petitioner;

11 (5) Grant the writ of habeas corpus and order Petitioner's immediate release from ICE
12 custody;

13 (6) Award Petitioner his costs and reasonable attorneys' fees pursuant to the Equal
14 Access to Justice Act, 28 U.S.C. § 2412, and any other applicable authority; and

15 (7) Grant any other further relief this Court deems just and proper.
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20 Respectfully submitted this 6th Day of July, 2026,

21 *By counsel, s/Eric Martin* _____

22 Eric Martin
23 Law Office of Eric J. Martin
24 5709 Geary Blvd.
25 San Francisco, CA 94121

26 *Counsel for Petitioner*

27 **VERIFICATION PURSUANT TO 28 U.S.C. § 2242**
28

1 I represent Petitioner, Lianfang LI, and submit this verification on his behalf. I hereby verify that the
2 factual statements made in the foregoing Petition for Writ of Habeas Corpus are true and correct to
the best of my knowledge.

3 Dated this 6th day of July, 2026.

4 s/Eric Martin
5 Eric Martin
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