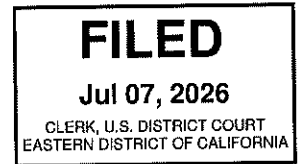


UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA



FULL NAME

Petitioner(s),

IGNACIO VELASQUEZ-VELSQUEZ

v.

NAME OF WARDEN

Christopher Chestnut

Respondent(s).

CASE NUMBER:

1:26-cv-05231-JLT-EPG

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**PETITION FOR WRIT OF HABEAS CORPUS BY
A PERSON IN IMMIGRATION CUSTODY
(28 U.S.C. § 2241)**

PERSONAL INFORMATION

1. (a) Your full name: IGNACIO VELASQUEZ-VELSQUEZ (Pro-Se)
- (b) Named used by immigration court if different than above: _____
2. A-Number: 
3. Place of Detention: California City Immigration Processing Center

CURRENT DETENTION AND IMMIGRATION PROCEEDINGS

4. Date you were taken into present immigration custody or other official restraint:

03/18/2026

5. Describe how and where you were taken into immigration custody:

ICE detention during Court Proceedings.

6. What country or countries does the Government allege you are a citizen of?

Guatemala

7. Do you have an order of removal?

☒

Yes

☐

No

8. If yes, on what date was the removal order issued? May 27th 2026

9. Which countries does the removal order designate for removal? Guatemala

10. Is the Government trying to remove you to a country or countries other than the countries designated in an order of removal?

☐

Yes

☒

No

11. If so, what country or countries? _____

12. If you have an order of removal, provide the type of order:

☒

Removal order issued by an Immigration Judge (IJ)

☐

Expedited removal order

☐ Reinstated removal order

☐ Other: _____

13. If an IJ issued the order of removal, did you waive an appeal to the Board of Immigration Appeals (BIA)?

☐ Yes ☒ No

14. If you appealed to the BIA, has the BIA dismissed your appeal?

☐ Yes ☒ No

15. If yes, on what date did the BIA dismiss your appeal? _____

16. If the BIA dismissed your appeal, did you file a petition for review with the Ninth Circuit Court of Appeals?

☐ Yes ☐ No

17. If your case is pending at the Ninth Circuit, do you have a stay of removal?

☐ Yes ☐ No

18. Do you have a pending immigration case in which you are contesting the Government's removal charges or seeking relief from removal?

☒ Yes ☐ No

19. If yes, where is your case currently pending?

☒ Immigration Court

☐ BIA

☐ Ninth Circuit Court of Appeals. Provide Case Number: _____

☐ Other _____

20. Has an IJ granted any applications for relief from removal?

☐ Yes ☒ No

21. If yes, on what date did the IJ grant the relief? _____

22. What type of relief from removal?

23. Have you had a bond hearing in immigration court?

☐ Yes ☒ No

24. If you answered "yes" to Question 23, then provide:

(a) Date of bond hearing: _____

(b) The IJ found that:

☐ I am not eligible for a bond hearing.

☐ I cannot be released because I am a danger or flight risk.

☐ I should be released on the following conditions:

☐ Other: _____

25. If you were denied release at a bond hearing, did you appeal to the BIA?

☐ Yes ☐ No

26. If you answered "yes" to Question 25, then provide:

(a) Date of Appeal to BIA: _____

(b) Outcome of Appeal

- ☐ Affirmed IJ bond decision
- ☐ Reversed IJ bond decision
- ☐ I am waiting for BIA bond decision
- ☐ Other: _____

27. If you answered "no" to Question 25, state if you plan to appeal to the BIA or, if not, explain why you do not plan to appeal to the BIA:

I have submitted my bond petition 2 times to the (IJ) Adelanto Immigration Court and the court either pays attention to my request, for this reason I am I am trying for HABEAS CORPUS; I respectfully asked the (IJ) to consider my strong equities, my family's dependence on me, lack of danger to the community, and commitment to complying with all legal requirements. I am seeking to return to my family while my case proceeds.

PREVIOUS DETENTION

28. Prior to your current detention, have you ever been detained and later released from immigration custody?

☐ Yes ☒ No

29. If you answered "yes" to Question 29, please describe all the periods in which you have previously been in immigration custody.

30. Were you subject to any conditions upon your previous release(s)?

☐ Yes ☐ No

31. If you answered "yes" to question 31, please describe any conditions of your previous release(s):

☐ Order of Supervision

☐ Order of Release on Recognizance

☐ Parole

☐ Other: _____

GROUND FOR YOUR PETITION

32. State every ground (reason) that supports your claim that you are being held or restrained unlawfully. State the facts supporting each ground. You may attach additional pages if necessary to provide legal arguments and supporting authority. You may also attach any documents relevant to your claims.

GROUND ONE:

Prolonged Detention Violates the Fifth Amendment

Supporting facts:

Petitioner's detention has become unreasonably prolonged.

There is no foreseeable end to proceedings, especially with matters pending before the Immigration Court.

Continued detention without meaningful review is unconstitutional.

GROUND TWO:

Failure to Provide a Constitutionally Adequate Bond Hearing

Supporting facts:

Due process requires an individualized bond hearing; the court either pays attention to my request

The government must justify detention by clear and convincing evidence.

Petitioner has not received such a constitutionally adequate hearing.

GROUND THREE:

Detention Is Not Reasonably Related to Its Purpose

Supporting facts:

Petitioner is neither a danger nor a flight risk.

His long residence, family ties, and stable address demonstrate he will appear for proceedings.

Continued detention is excessive and punitive.

Petitioner suffers ongoing loss of liberty; Prolonged detention causes severe emotional, psychological, and financial hardship; These harms cannot be remedied after the fact and justify emergency relief

REQUEST FOR RELIEF

33. State exactly what you want the court to do:

1. Grant the writ of habeas corpus;
2. Order Petitioner's immediate release; OR
3. Order a prompt and constitutionally adequate release;
4. 4. Grant any other relief the Court deems just and proper.

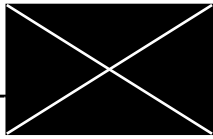
I respectfully asked the Court to consider my strong equities, my family's dependence on me, my lack of danger to the community, and my commitment to complying with all legal requirements.

I am seeking the opportunity to return to my family while my case proceeds.

If you are in custody, on what date did you place this petition in the mail system: July 6th 2026

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.

July 6th 2026
Date: _____



Signature of Petitioner

Signature of Attorney or other authorized person, if any

II. JURISDICTION AND VENUE

1. This Court has jurisdiction under **28 U.S.C. § 2241**.
2. Petitioner is in custody in violation of the Constitution.
3. Venue is proper in this District because Petitioner is detained at **California City Immigration Processing Center**.

III. PARTIES

4. Petitioner:

- Ignacio Velasquez-Velsquez



Detained At California City Immigration Processing Center

5. Respondents:

- Warden of California City Immigration Processing Center
- U.S. Immigration and Customs Enforcement (ICE)

IV. FACTUAL BACKGROUND

6. Petitioner has been continuously detained since **March, 2026**.
7. He is currently in removal proceedings before the Immigration Court in Adelanto California.
6. Petitioner filed **Form I-589 (Application for Asylum and for Withholding of Removal)**; based on a well-founded fear of persecution in Guatemala.
7. He also seeks protection under the **Convention Against Torture (CAT)**, currently pending before the **Immigration Court**.
8. Petitioner has lived in the United States since **October 2016**, establishing deep community ties.
9. He resides in **Miami, Florida**, with a stable home available at:



12. Petitioner has strong family support in the United States.
13. He has no convictions for aggravated felonies and no offenses involving moral turpitude.
14. He is a person of **good moral character**, poses **no danger**, and is **not a flight risk**.
15. Despite these factors, Petitioner remains detained without adequate justification.

V. LEGAL FRAMEWORK

16. Immigration detention is civil, not punitive. See *Zadvydas v. Davis*, 533 U.S. 678 (2001).
17. Detention must be reasonably related to its purpose.
18. Prolonged detention without adequate procedural protections violates due process.
19. The Supreme Court in *Jennings v. Rodriguez*, 583 U.S. ____ (2018), confirmed that constitutional challenges to prolonged detention must be addressed through habeas petitions.
20. Courts within the Eighth Circuit have recognized that **prolonged detention requires meaningful review**.

VI. GROUNDS FOR RELIEF

GROUND ONE

Prolonged Detention Violates the Fifth Amendment

21. Petitioner's detention has become **unreasonably prolonged**.
22. There is no foreseeable end to proceedings, especially with matters pending before the BIA.
23. Continued detention without meaningful review is unconstitutional.

GROUND TWO

Failure to Provide a Constitutionally Adequate Bond Hearing

24. Due process requires an individualized bond hearing.
25. The government must justify detention by **clear and convincing evidence**.
26. Petitioner has not received such a constitutionally adequate hearing.

GROUND THREE

Detention Is Not Reasonably Related to Its Purpose

27. Petitioner is neither a danger nor a flight risk.
28. His long residence, family ties, and stable address demonstrate he will appear for proceedings.
29. Continued detention is excessive and punitive.

VII. IRREPARABLE HARM

30. Petitioner suffers ongoing loss of liberty.
31. Prolonged detention causes severe emotional, psychological, and financial hardship.
32. These harms cannot be remedied after the fact and justify emergency relief.

VIII. MOTION FOR IMMEDIATE RELEASE

Petitioner respectfully moves for:

- **Immediate release under reasonable conditions, OR**
- **Conduct an individualized custody determination consistent with due process, where:**
 - The government bears the burden
 - The standard is clear and convincing evidence

IX. REQUEST FOR RELIEF

WHEREFORE, Petitioner requests that this Court:

1. Grant the writ of habeas corpus;
2. Order Petitioner's **immediate release**; OR
3. Order a **prompt and constitutionally adequate release**;
4. Grant any other relief the Court deems just and proper.

X. VERIFICATION

I, **Ignacio Velasquez-Velsquez** declare under penalty of perjury that the foregoing is true and correct.

Executed on:

July 6th 2026

Signature:

Ignacio Velasquez-Velsquez

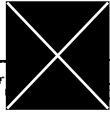
XI. CERTIFICATE OF SERVICE

I certify that I have served this petition on:

- U.S. Attorney's Office, Central District of California
- U.S. Immigration and Customs Enforcement (ICE)

Date: July 6th 2026

Signature:

Ignacio V  ez-Velsquez


MEMORANDUM OF LAW IN SUPPORT OF HABEAS PETITION

I. INTRODUCTION

This case concerns the unconstitutional detention of a noncitizen for a prolonged period without adequate procedural protections. Civil detention must remain limited and justified.

II. PROLONGED IMMIGRATION DETENTION IS CONSTITUTIONALLY LIMITED

The Supreme Court in *Zadvydas v. Davis* held that immigration detention must be limited to a reasonable period.

Even where statutes permit detention, the Constitution imposes limits when detention becomes excessive.

III. HABEAS RELIEF REMAINS AVAILABLE

In *Jennings v. Rodriguez*, the Court confirmed that noncitizens may challenge prolonged detention through habeas corpus.

IV. DUE PROCESS REQUIRES A MEANINGFUL BOND HEARING

Courts have recognized that due process requires:

- Individualized review
- Government burden of proof
- Clear and convincing evidence standard

Without these protections, detention is unconstitutional.

V. PETITIONER'S DETENTION IS UNLAWFUL

Petitioner:

- Has strong family and community ties
- Has no serious criminal history
- Is pursuing bona fide asylum and CAT claims

Thus, continued detention is excessive and unjustified.

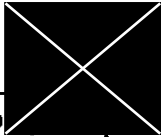
VI. CONCLUSION

The Court should order immediate release or, at minimum, a constitutionally adequate bond hearing.

Respectfully submitted,

Date: July 6th 2026

Signature:

Ignacio  -Velsquez
 _____

COVER LETTER

Date: July 6st 2026

IGNACIO VELASQUEZ VELSQUEZ

California City Immigration Processing Center

22844 Virginia Boulevard

California City, CA **93505**

Clerk of Court

UNITED STATES DISTRICT COURT

EASTERN DISTRICT OF CALIFORNIA (Fresno Division)

2500 Tulare Street Suite **1501**

Fresno, CA **93721-2201**

RE: Emergency Habeas Corpus Petition Under 28 U.S.C. § 2241

Dear Clerk of Court:

I respectfully submit for filing my **Emergency Petition for Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241**, along with the following accompanying documents:

1. Emergency Motion for Temporary Restraining Order (TRO);
2. Memorandum of Law in Support of Petition;
3. Supporting Declarations and Exhibits.

I am currently detained at California City Immigration Processing Center, California City, CA, under immigration custody, and I am proceeding **pro se** (without an attorney).

This filing is submitted on an **emergency basis**, as I am challenging the legality of my continued detention and seeking immediate release or, in the alternative.

I respectfully request that the Court docket these filings and process them as soon as possible due to the urgent nature of my detention.

If there are any deficiencies in my submission, I kindly request notice and an opportunity to correct them.

Thank you for your time and consideration.

Respectfully submitted,

Signature:

Ignacio  Velsquez

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Ignacio Velasquez-Velsquez

v.

**Warden of California City Immigration Processing
Center Christopher Chestnut et al.**

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LIST OF EXHIBITS

Exhibit A - Notice to Appear (NTA)

Exhibit B - Custody/Bond Request

Exhibit C - Proof of Residence (Miami, FL)

Exhibit D - Family and Community Support Letters