

FILED

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the**JUL 08 2026**CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY
DEPUTY CLERKDOMINGO GALLEGO MARCOS
Petitionerv.
WARDEN, CALIFORNIA CITY CORRECTIONAL
CENTER, AND DIRECTOR, U.S. IMMIGRATION
AND CUSTOMS ENFORCEMENT (ICE)Case No. 7:26CV005260-KES-EGC (tc)
(Supplied by Clerk of Court)

Respondent

(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241**Personal Information**

1. (a) Your full name: DOMINGO GALLEGO MARCOS
(b) Other names you have used: NA
2. Place of confinement:
(a) Name of institution: CALIFORNIA CITY CORRECTIONAL CENTER
(b) Address: 22844 VIRGINIA BLVD CALIFORNIA CITY, CA 93505
(c) Your identification number: [REDACTED]
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)
4. 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 number of criminal case: _____
(c) Date of sentencing: _____
☒ Being held on an immigration charge
☐ Other (explain): _____

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: _____

(b) Docket number, case number, or opinion number: _____

(c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed): _____

(d) Date of the decision or action: _____

Your Earlier Challenges of the Decision or Action

7. **First appeal**

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: THERE WAS NOT CASE OR DECISION TO APPEAL

8. **Second appeal**

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal:

THERE WAS NOT
CASE OR DECISION TO APPEAL

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes

☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal:

THERE WAS NOT
CASE OR DECISION TO APPEAL.

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☒ Yes

☐ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes

☒ No

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If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 05/30/2026

(b) Date of the removal or reinstatement order: _____

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☒ No

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If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. **Other appeals**

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☐ Yes

☒ No

If "Yes," provide:

(a) Kind of petition, motion, or application: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

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Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: VIOLATION OF DUE PROCESS (FIFTH AMENDMENT)
PETITIONER'S CONTINUED DETENTION WITHOUT ACCESS TO A
BOND HEARING VIOLATES THE DUE PROCESS CLAUSE OF THE
FIFTH AMENDMENT.

(a) Supporting facts (Be brief. Do not cite cases or law.):

THE SUPREME COURT AND FEDERAL COURTS HAVE RECOGNIZED
THAT PROLONGED DETENTION WITHOUT AN INDIVIDUALIZED
HEARING RAISES SERIOUS CONSTITUTIONAL CONCERNS.

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

☐ Yes

☒ No

GROUND TWO: RACIAL PROFILING, A BORDER PATROL OFFICER CONDUCTED
A VEHICLE STOP WITH NO MOTIVE AS I ABIDE BY ALL TRAFFIC
LAW.

(a) Supporting facts (Be brief. Do not cite cases or law.):

OFFICER GAVE ME NO EXPLANATION ON WHY HE PULLED ME OVER
JUST DEMANDED MY LEGAL PAPER, SOCIAL, AND DRIVER
LICENSE AND APPREHENDED ME.

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

☐ Yes

☒ No

GROUND THREE: PETITIONER HAS A CLEAN RECORD, HE HAS NO CRIMINAL
HISTORY AND ABIDS BY THE LAW, HE IS A PENDING
APPLICANT FOR ASYLUM.

(a) Supporting facts (Be brief. Do not cite cases or law.):

PETITIONER IS NOT A FLIGHT RISK NOR A DANGER TO
SOCIETY AS HIS RECORD CAN CONFIRM

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

☐ Yes

☒ No

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GROUND FOUR: EXCESSIVE USE OF FORCE, BORDER PATROL OFFICER APPROCHED PETITIONER PULLING HIS FIRE ARM AND POINTING AT HIM IMMEDIATELY, STATETING "FOR MY SAFETY"

(a) Supporting facts (Be brief. Do not cite cases or law.):

PETITIONER'S WIFE HAS VIDEO EVIDENCE SUPPORTING HIS CLAIM, PETITIONER ABIDED WITH HIS COMANDS AND FOLLOWED DIRECTIONS, NO FURTHER INCIDENT HAPPENED

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

☐ Yes

☒ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not: PETITIONER IS SUFFERING ONGOING IRREPARABLE HARM DUE TO UNLAWFUL DETENTION, CONTINUED DETENTION WITHOUT REVIEW VIOLATES CONSTITUTIONAL RIGHTS.

Request for Relief

15. State exactly what you want the court to do: I RESPECTFULLY ASK TO THE COURT:
1. ISSUE A WRIT OF HABEAS CORPUS DECLARING PETITIONER'S DETENTION UNLAWFUL.
 2. ORDER IMMEDIATE RELEASE OF PETITIONER.
 3. GRANT A TEMPORARY RESTRAINING ORDER (TRO) PREVENTING MY TRANSFER OUT OF EASTERN DISTRICT OF CALIFORNIA OR THIS COUNTRY PENDING RESOLUTION OF THIS PETITION.
 4. GRANT ANY OTHER RELIEF THE COURT DEEMS JUST AND PROPER.

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Declaration Under Penalty Of Perjury

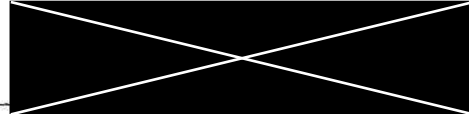
If you are incarcerated, on what date did you place this petition in the prison mail system:

06/29/2026

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.

Date: 06/29/2026

X

A black rectangular box with a white 'X' drawn across it, used to redact the signature of the petitioner.

Signature of Petitioner

Signature of Attorney or other authorized person, if any