

FILED

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

UNITED STATES DISTRICT COURT

JUL 08 2026

for the
Eastern District of CaliforniaCLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY
DEPUTY CLERK

DE SANTIAGO HERNANDEZ ANTONIO

Petitioner

v.

Christopher Chestnut Warden for California City
Immigration Processing Centre*Respondent**(name of warden or authorized person having custody of petitioner)*Case No. 1:26 CV 05249 EJD (HL)
*(Supplied by Clerk of Court)***PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241****Personal Information**

1. (a) Your full name: DE SANTIAGO HERNANDEZ ANTONIO
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: California City Immigration Processing Centre
(b) Address: 22844 Virginia blvd, California city, CA 93505
- (c) Your identification number: 
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
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: California City Immigration Processing Centre and Krome SPC

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

(c) Decision or action you are challenging (*for disciplinary proceedings, specify the penalties imposed*):
I am challenging my release

(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: _____

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: N/A

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: N/A

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: N/A

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

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: N/A

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: N/A

- (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: N/A

(2) Case number: N/A

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: N/A

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

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 04/14/2026

(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: n/a

(3) Result: n/a

(4) Date of result: _____

(5) Issues raised: n/a

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

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: n/a

(2) Date of filing: _____

(3) Case number: n/a

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: n/a

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: N/A

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

N/A

(c) Date of filing: _____

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

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: N/A

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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: petitioner has been detained by U.S immigration and customs enforcement (ICE) since april 14.2026 const .art i sub'section (ss) 9,cl.28 U.S.C sub section (ss) 1331 zadyadas ,566 U.S 678 ,this court may granted relief under this court has jurisdiction under section (ss) 2241 the suspension clause u.s

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

petitioner is presently in custody under color of the authority of the united stated,petitioner is under custody in violation of the constitution laws ,or treaties of the united states (establishing the right of review for a person . suffering ilegal wrong due to agency)

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

☐ Yes ☒ No

GROUND TWO: due process applies to all person in the united states wether their presence here is lawful , unlawful,tomporary ,or permanement ,zadydas ,533 U.S at 693.freedom from imprisoment .due process clause protects ,533 U.S at 690 citing foucha v.louisiana 504 U.S 71.80 1992 .civil immigration detention violate due process if it is not reasonably related to its statutory purpose ,406 U.S 715 ,738,1972

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

petitioner detention violate the due process clause of the fifth amendement ,forbids the government from depriving any person of liberty without due process of law,gorvement custody detention ,or other form of physical resteaient lies at the heart of the liberty tha the due process protects ,in the immigration context ,the supreme court has recognized only to valid purpose for civil detention ,mitigate risk of flight ,prevent danger to the community and petitioner is not either one

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

☐ Yes ☒ No

GROUND THREE: petitioner citing plyer V.Doe 457 U.S 202 ,210 1982.Balza V.Barr No;6,20 -CV -0866 2020 WL6143643 at*5W.D La .spet 17,2020

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

alien,even alien whose presence in this country is unlawfu;, have recognizeas a person guaranteed due process of the law of the of fifth and fourteen amendement . he supreme court authorize detention only where it is significantly likely that removal will occur in reasonable

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

☐ Yes ☒ No

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GROUND FOUR: jennings 2018 WL 1054878 at*28(Breyer,J, Dissenting)accord chavez alvarez ,783 F.3d at 478 ;Ngo V.INS,192 F.3d Cir.1999);sopo,825F.3d at 1218,1221... immigration detainees face severe hardship while incarcerated. immigration detainees are held in lockdown facilities,with limited freedom of movement and access to their families

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

it is always in the public interest to prevent the violation of party " constitutional right "
premier V principe 422 F .3d 815 ,826, (9th Cir 2005) public interests concerns are implicated when a constitutional right has been violated because

all citizen have a stake in upholding the constitution and public has

strong interest in upolding procedural protections against unlawful detention and the ninth circuit recognized that the costs to the public of immigration detention are staggering "jorge M.F v.wilkinson No 21 -cv -01434 JST 2021

(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:

Request for Relief

15. State exactly what you want the court to do: that this court issue a writ of habeas corpus directing the respondent to bring the petitioner to this court at a time to be specified and explain why the petitioner should be released from DHS custody immediately and for such other relief as may be just and appropriate

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Declaration Under Penalty Of Perjury

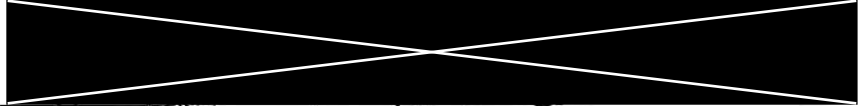
If you are incarcerated, on what date did you place this petition in the prison mail system:

05/31/2026

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:

06/18/26

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

Signature of Petitioner

Signature of Attorney or other authorized person, if any