

FILED

UNITED STATES DISTRICT COURT
for the

JUL 10 2026

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIABY [Signature]
DEPUTY CLERKLeal Garrido Dagoberto

Petitioner

Warden Central Valley AnnexMcFarland, CA 93250

Respondent

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

1:26 CV 05314 DAD CSK(HC)
Case No. _____
(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: Leal Garrido Dagoberto
(b) Other names you have used: NA
2. Place of confinement:
(a) Name of institution: Central Valley Annex
(b) Address: 254 Taylor Ave.
McFarland, CA 93250
(c) Your identification number: [REDACTED]
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: NA
(b) Docket number of criminal case: NA
(c) Date of sentencing: NA
☒ Being held on an immigration charge
☐ Other (explain): NA

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)

- ☐ 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): Due to Jan 15-2026 Criminal charge time serve (1M IV).

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

- (a) Name and location of the agency or court: Central Valley Annex
234 Taylor Ave McFarland, CA 93252
 (b) Docket number, case number, or opinion number: 
 (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
Violate Access Doctrine (Prolonged detention); Failure to follow governing detention.
 (d) Date of the decision or action: Feb. 19-2026

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: NA
NA
 (2) Date of filing: NA
 (3) Docket number, case number, or opinion number: NA
 (4) Result: NA
 (5) Date of result: NA
 (6) Issues raised: NA Didn't Appeal

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

NA

8. Second appeal

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

☐ Yes ☒ No

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

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: NANA(2) Date of filing: NA

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

(4) Result: NA(5) Date of result: NA(6) Issues raised: NA

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

Didn't 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: NA(2) Date of filing: NA(3) Docket number, case number, or opinion number: NA(4) Result: NA(5) Date of result: NA(6) Issues raised: NA

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

NA

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

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

If "Yes," provide:

- (1) Name of court: NA
 (2) Case number: NA
 (3) Date of filing: NA
 (4) Result: NA
 (5) Date of result: NA
 (6) Issues raised: NA

Didn't appeal

- (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: NA
 (2) Case number: NA
 (3) Date of filing: NA
 (4) Result: NA
 (5) Date of result: NA
 (6) Issues raised: NA

Didn't Appeal

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

Didn't Appeal

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: Feb 19-2026
 (b) Date of the removal or reinstatement order: NA
 (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: NA
- (2) Case number: NA
- (3) Result: NA
- (4) Date of result: NA
- (5) Issues raised: NA

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

☐ Yes ☒ No

If "Yes," provide:

- (1) Name of court: NA
- (2) Date of filing: NA
- (3) Case number: NA
- (4) Result: NA
- (5) Date of result: NA
- (6) Issues raised: NA

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

(c) Date of filing: NA(d) Docket number, case number, or opinion number: NA(e) Result: NA(f) Date of result: NA(g) Issues raised: NA

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 the Accardi Doctrine, Failure to follow mandatory regulatory procedure governing detention.*

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

ICE has failed to comply with its mandatory regulatory obligation under 8C F.R. § 241.4 and 241.13 which governs the review and conditions.

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

☐ Yes

☒ No

GROUND TWO: *Violation of Due-Process - detention with notice, Custody review, or opportunity to be heard.*

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

Under the 5th Amendment Civil Immigration detention must comport with fundamental opportunity to be heard, ICE own regulatory framework governing required timely custody review with notice of Custody Determination.

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

☐ Yes

☒ No

GROUND THREE: *Petitioner's therefore requests that this Court issue writ of habeas corpus, determine that Petitioner's detention is not justified because the government has not established by clear and convincing evidence that Petitioner present a risk of flight or danger.*

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

if available alternatives to detention, and order Petitioner's release with appropriate conditions of supervision if necessary or bond.

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

☐ Yes

☒ No

GROUND FOUR: *Arbitrary and indefinite detention without individualized determination of legitimate government purpose; Both removable and non-citizens*

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

There no Custody determination or Explanation for continued detention making the detention Punitive, rather than regulatory. Because ICE has failed to conduct any determinations or demonstrate a valid purpose of detention, and still confinement is unconstitutional, and must be terminated.

(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:

I Did not appeal

Request for Relief

15. State exactly what you want the court to do: *Wherefore, Petitioner respectfully request that the Court:*

- 1. Assume Jurisdiction over this matter.*
- 2. Grant the petition for Writ of Habeas Corpus.*
- 3. Order Petitioner immediate release under reasonable Conditions of Supervision*
- 4. Alternately, order Respondents to show Immediate Cause why Petitioners should not be released.*
- 5. Grant any additional relief the Court deems Just and proper.*

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

Declaration Under Penalty Of Perjury

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

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: July 6, 2026

X



Signature of Petitioner

X

NA

Signature of Attorney or other authorized person, if any