

FILED

AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

JUL 10 2026

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY _____
DEPUTY CLERK

JUAN GONZALEZ

Petitioner

v.

U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. IMMIGRATION AND CUSTOM ENFORCEMENT

WARDEN OF THE CALIFORNIA CITY DETENTION CENTER

Respondent

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

1:26cv05334 TLN AC (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: JUAN GONZALEZ
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: CALIFORNIA CITY IMMIGRATION PROCESSING CENTER
(b) Address: P.O. BOX 2813 / 22844 VIRGINIA BLVD
CALIFORNIA CITY, CA. 93721
(c) Your identification number: 
3. Are you currently being held on orders by:
☒ Federal authorities ☐ State authorities ☐ Other - explain:
ICE DETENTION
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): _____

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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): _____

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

(a) Name and location of the agency or court: U.S. IMMIGRATION AND CUSTOM
ENFORCEMENT

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

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

PETITIONER HAS NOW BEEN DETAINED FOR OVER SIX MONTHS SINCE JANUARY 16, 2026
EXCEEDING THE PRESUMPTIVELY DETENTION PERIOD UNDER ZADYDAS V. DAVIS
THERE IS NO SIGNIFICANT LIKELIHOOD OF REMOVAL IN THE REASONABLY FORESEEABLE FUTURE

(d) Date of the decision or action: 1/13/2026**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: _____

(2) Date of filing: _____

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

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

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

8. **Second appeal**

After the first appeal, did you file a second 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 second appeal: NO LEGAL COUNSEL

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: _____

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

NO LEGAL COUNSEL

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

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: _____

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- (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: 1/18/2026
(b) Date of the removal or reinstatement order: 7/12/2006 ORDER OF REMOVAL
(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☒ No

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: _____

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- (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: _____
- _____
- _____
- _____
- _____
- _____

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.

GROUND ONE: VIOLATION OF 8 U.S.C. § 1231 (a)(6)

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

PETITIONER HAS BEEN DETAINED BY ICE FOR MORE THAN SIX MONTHS (OVER 180 DAYS) FOLLOWING A FINAL ORDER OF REMOVAL. PETITIONER'S FINAL ORDER OF REMOVAL WAS ON JULY 12, 2006. PETITIONER HAS BEEN DETAINED FROM ICE SINCE JANUARY 13, 2026. ICE HAS NOT PRODUCED TRAVEL DOCUMENTS. THERE IS NO EVIDENCE OF ACCEPTANCE BY A RECEIVING COUNTRY. REMOVAL HAS NOT BEEN EFFECTUATED DESPITE PROLONGED DETENTION. CUBA DID NOT ACCEPT PETITIONER.

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

☐ Yes

☒ No

GROUND TWO: VIOLATION OF THE FIFTH AMENDMENT DUE PROCESS

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

CONTINUE DETENTION WITHOUT A MEANINGFUL LIKELIHOOD OF REMOVAL VIOLATES DUE PROCESS. PETITIONER HAS NOW BEEN HELD WELL BEYOND THE PRESUMPTIVELY REASONABLE PERIOD. THIS PROLONGED DETENTION HAS BECOME INDEFINITE AND PUNITIVE IN NATURE, WHICH IS UNCONSTITUTIONAL. PETITIONER WAS DETAINED BY ICE FOR 90 DAYS POST ORDER REMOVAL IN 2006 BEFORE BEING RELEASED UNDER AN "OSUP".

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

☐ Yes

☒ No

GROUND THREE: FAILURE TO MEET GOVERNMENT BURDEN AFTER 180 DAYS.

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

AFTER SIX MONTHS, THE GOVERNMENT MUST PROVIDE EVIDENCE SHOWING A SIGNIFICANT LIKELIHOOD OF REMOVAL IN THE REASONABLY FORESEEABLE FUTURE. TO DATE, ICE HAS FAILED TO PROVIDE: VALID TRAVEL DOCUMENTS, CONFIRMED COUNTRY ACCEPTANCE, A SCHEDULED REMOVAL PLAN. WITHOUT SUCH EVIDENCE, CONTINUED DETENTION VIOLATES STATUTE AND MUST END, BECAUSE THE GOVERNMENT HAS FAILED TO MEET ITS BURDEN.

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

☐ Yes

☒ No

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GROUND FOUR: DETENTION NO LONGER SERVES A LEGITIMATE PURPOSE.

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

THE POST REMOVAL ORDER TO CUBA WAS IN 2006, CURRENT DETAINMENT FROM ICE IS FROM 1-13-2026 THAT IS OVER SIX MONTHS POST-REMOVAL-DETENTION. ICE LACKS DOCUMENTATION TO EXECUTE ~~RE~~ REMOVAL. THERE IS NO TRAVEL DOCUMENTS FROM CUBA OR ANY OTHER COUNTRY, THERE IS NO FLIGHT OR TIMEFRAME FOR REMOVAL, THEREFORE, CONTINUED DETENTION IS ARBITRARY AND EXCESSIVE IN RELATION TO ITS PURPOSE.

(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: PETITIONER RESPECTFULLY REQUESTS THAT THIS COURT GRANT THIS WRIT OF HABEAS CORPUS AND ORDER PETITIONER'S IMMEDIATE RELEASE FROM ICE CUSTODY. PETITIONER ~~FURTHER~~ FURTHER REQUESTS ANY OTHER RELIEF THE COURT DEEMS JUST AND PROPER.

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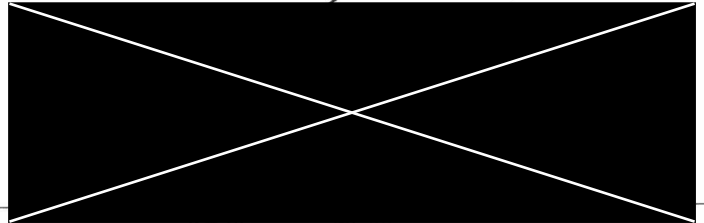
Declaration Under Penalty Of Perjury

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

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:

7/5/2026

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