

UNITED STATES DISTRICT COURT
for the

FILED

JUL 10 2026

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA

BY
DEPUTY CLERK

Case No. 1:26-cv-5330-KES-EPG
(Supplied by Clerk of Court)

PRADO - HERNANDEZ, JOSIAS
Petitioner

v.

WARDEN OF THE CALIFORNIA CITY
DETENTION CENTER
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: PRADO HERNANDEZ JOSIAS
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: CALIFORNIA CITY DETENTION CENTER
(b) Address: 29844 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:
DHS
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: IMMIGRATION AND CUSTOMS ENFORCEMENT

300 NORTH ANGELES ST, LOS ANGELES, CA 90012.

(b) Docket number, case number, or opinion number: [REDACTED]

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

ICE'S DECISION TO DETAIN ME IN VIOLATION OF MY FIFTH AMENDMENT
DUE PROCESS RIGHTS.

(d) Date of the decision or action: 03/01/2026.

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: _____

(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

(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: _____

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: _____

(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: 03/01/2026

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

(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: _____

(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. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: I ENTERED UNITED STATES IN AUGUST 2001 WHEN I WAS THREE YEAR OLD. SINCE THEN I RESIDED IN UNITED STATES THAT IS MORE THAN 24-Years. AND I WAS GRANTED FOR DEFERRED ACTION FOR CHILDHOOD ARRIVAL STATUS. I RENEWED MY STATUS MULTIPLE TIMES. I APPLIED FOR MY WORK PERMIT AND AT APRIL 29 2013 IT WAS APPROVED. SINCE THEN

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 Do not cite cases or law.):

IM RENEWING MY WORK PERMITS ACCORDING TO IMMIGRATION RULES UPTO OCTOBER 2025. I HAD NO CRIMINAL RECORD. AND NOW IM FATHER OF TWO KIDS. MY KIDS AND MY WIFE NEED MY SUPPORT. MY KIDS ARE 4 Years And 5 Years THEY NEED MY SUPPORT. AND THIS IS MY SECOND HABEAS. MY FIRST HABEAS THEY APPROVED AND GIVEN ME A OPPORTUNITY OF BOND HEARING. BUT IMMIGRATION JUDGE DENIED MY BOND BECAUSE

(b) Did you present Ground One in all appeals that were available to you? I HAVE TRAFFIC VIOLATION AND ONE DUY.

☐ Yes

☐ No

GROUND TWO: BUT NOW ALL MY DUY AND TRAFFIC VIOLATION CASES ARE CLOSED AND I FOLLOWED ALL THE RULES JUDGE GIVEN ME. ON MARCH 12TH 2026 MY WORK PERMIT AND DACA APPLICATIONS WERE RECEIVED BY USCIS AND NOW MY APPLICATION IS PENDING. IM REQUESTING HONORABLE JUDGE TO GRANT MY IMMEDIATE RELEASE. BECAUSE

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

I BEEN DETAINED ALREADY FOR FOUR MONTHS WHICH HAS TAKEN A TOLL ON MY MENTAL AND PHYSICAL HEALTH.

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

☐ Yes

☐ No

GROUND THREE:

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

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

☐ Yes

☐ No

GROUND FOUR:

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

(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: NO APPEAL AVAILABLE.

Request for Relief

15. State exactly what you want the court to do: ORDER MY IMMEDIATE RELEASE FROM DETENTION AND RETURN ME TO THE CONDITIONS THAT I WAS PRIOR TO MY ARREST. ORDER THE GOVERNMENT TO RETURN TO ME ALL THE DOCUMENTS AND PROPERTY THAT IT SEIZED WHEN IT ARRESTED ME. ORDER THAT CANNOT RE-DETAIN ME WITH OUT A HEARING BEFORE A NEUTRAL DECISION MAKER WHERE THE GOVERNMENT HAS THE BURDEN TO ESTABLISH BY CLEAR AND CONVINCING EVIDENCE THAT MY DETENTION IS NECESSARY.

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



Signature of Petitioner

Signature of Attorney or other authorized person, if any