

UNITED STATES DISTRICT COURT
for the
EASTERN District of California

JUL 10 2026

CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY _____ DEPUTY CLERK *mw*

Yusvel Figueroa Arguelles
Petitioner

U.S. Attorney General
Department Homeland Security
Immigration Customs Enforcement
Warden, Christopher Chestnut California City
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. 1:26-cv-5321-JLT-FJS
(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: Yusvel Figueroa Arguelles
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: California City Immigration processing center facility
(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:
Immigration Customs Enforcement, and California City (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): Held on Final order of removal since Sep. 01, 2010. Revocation
of order supervision release without probable cause since Dec 29, 2025.

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): ICE Revocation of supervision, failed to follow its regulations and procedures before and after the revoking, violated Petitioner's forth and fifth amendment rights. Zadvydas v. Davis, 533 U.S 678 (2001)

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

(a) Name and location of the agency or court: Immigration Customs Enforcement

California City Immigration processing center facility

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

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

Challenge the prolonged insufficient detention that invalidated the condition of petitioner release. ICE never notified the reason for petitioner supervision release revocation 8 C.F.R § 241.13 (1) (1)

(d) Date of the decision or action: Dec 30, 2025

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

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: August 28, 2016 to NOV 26, 2016 And now DEC 30, 2025
- (b) Date of the removal or reinstatement order: September 01, 2010
- (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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AO 242 (12/11) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

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 Do not cite cases or law.):

Petitioner is a Cuban national admitted to USA on Dec 18, 1997. Lawfull permanent Resident in NOV 18, 1999. Arrest on Criminal charges on Dec 8, 2003. Case ~~XXXXXXXXXX~~ Plea negotiation and sentence to 15 year on D.O.C. on 2005. ICE lodged on immigration hearing on final deportation on 09/01/2010. Release from D.O.C. on 08/28/2016. ICE detainee for 90-days and release on Nov 26, 2016 to release supervision until Dec 30, 2025. ICE revoke the order of supervision final because removal are available at this time.

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

☐ Yes☒ No

GROUND TWO: Petitioner detention violates his right to procedural and substantive due process under Fifth amendment, the administrative procedure act. And freedom and liberty of the non-citizen aliens. Failed to provide adequate notification and not adequately inform the reason for revocation violated due process.

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

Regulation 241.13(i)(3) requires notify petitioner the reason of revocation it must promptly conduct an initial informal interview. ICE does not identify what circumstance have changed nor does it explain why. Those changes render removal significantly likely in near future. Accordingly, continued detention exceeds the constitutionally permissible period no longer serves a legitimated immigration purpose. Detainee is entitled to the same protections as citizen within the united states under the constitution. No distinction between Americans and aliens held in federal custody.

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

☐ Yes☒ No

GROUND THREE: Constitution forbids pre-existing removal detention unless is a realistic chance that detainee will be removal promptly. No such chance existed here. Cuba has no repatriation treaty with the united states. Removal has not occurred, there is no indication that any travel documents will be issued promptly.

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

Revocation of release must be grounded in more than generalized assertions that removal is now an options available at this time violation of the fifth amendment right to due process continue this unlawful detention despite knowing there is no significant likelihood Petitioner would be removed in the reasonably foreseeable future. His removal order designated cuba as his country of removal and did not list an alternative country of removal. Mexico was not mentioned in the order of removal. Due process requires non-citizen opportunity to adjudicate fear-based claim in front of an I.J. Due process

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

☐ Yes

☒ No Requires receive a full and fair hearing of fear-based claim in front of a neutral adjudicator. Eduardo v. M v. warden of Golden State Annex Det. Facility, 2026.

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

GROUND FOUR: ICE does not identify what circumstances have changed nor does it explain why those changes render removal significantly likely in the near future. See *Roble v. Bondi*, 803 F. Supp. 3d 766, 772 (D. Minn. 2025) (citations omitted).

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

Removal has not occurred and there is no indication that deportation to Cuba will occur in the reasonably foreseeable future. Accordingly, continued this detention after 180-days ICE's has exceeded the constitutionally permissible period recognized in *Zadvydas v. Davis* and this detention no longer serves a legitimate immigration purpose. Consequently interpreting the statute to avoid a serious constitutional threat, Petitioner conclude that, after 275 days and final removal is no longer reasonably foreseeable, Petitioner conclude that continue this detention is no longer authorized by statute.

(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 request that this court grant this writ of habeas corpus and order immediate release from ICE custody under reasonable conditions of supervision, or grant any other relief the Court deems just and proper.

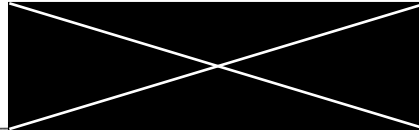
Declaration Under Penalty Of Perjury

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

07/08/2026

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: 07/08/2026

A black rectangular box with a white 'X' drawn across it from corner to corner, indicating that the signature has been redacted.

Signature of Petitioner

Signature of Attorney or other authorized person, if any