FILED

UNITED STATES DISTRICT COURT

for the

JUL 13 2026

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

LUIS ANTONIO PEREZ MACHADO
Petitioner

v.

U.S. DEPARTMENT OF HOMELAND SECURITY
U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT
WARDEN OF THE CALIFORNIA CITY DETENTION CENTER
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. 1:26CV00539 4-DC-JDP(HC)
(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: LUIS ANTONIO PEREZ MACHADO
   (b) Other names you have used: _____
2. Place of confinement:
   (a) Name of institution: CALIFORNIA CITY IMMIGRATION PROCESSING CENTER
   (b) Address: P.O. BOX 2513 / 22844 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:
   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)*: _____

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 CUSTOMS ENFORCEMENT

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

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

PETITIONER IS CHALLENGING THAT HIS CURRENT DETENTION VIOLATES THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT. PETITIONER CIVIL LIBERTIES WERE VIOLATED AS HE WAS DETAINED WITH NO ARREST WARRANT, NO NOTICE, AND NO PRE-DEPRIVATION HEARING.

(d) Date of the decision or action: 1/23/26

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: N/A

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: N/A

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: N/A

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: 1/23/2026

(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.

GROUND ONE: DETENTION WITHOUT NOTICE OR PRE-DEPRIVATION PROCESS VIOLATES THE FIFTH AMENDMENT.

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 Do not cite cases or law.)*:

PETITIONED WAS PAROLED INTO THE UNITED STATES FROM CUBA IN 2024 UNDER THE HUMANITARIAN PAROLE. PETITIONER HAD A WORK PERMIT, SOCIAL SECURITY, AND DRIVER LICENCE. PETITIONER HAS AN PENDING APPLICATION UNDER THE CUBAN ADJUSTMENT ACT. PETITIONER WAS ARRESTED BY LOCAL AUTHORITES ON 1/19/26 FOLLOWING A DOMESTIC DISPUTE. PETITIONER BONDED OUT AND ICE DETAINED PETITIONER ON 1/23/26. ICE PROVIDED NO NOTICE, NO PRE-DEPRIVATION HEARING, AND MEANINGFUL OPPORTUNITY TO CHALLENGE LOSS OF LIBERTY.

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

☐ Yes ☒ No

GROUND TWO: WARRANT LESS ARREST AND DETENTION IN VIOLATION OF DUE PROCESS.

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 Do not cite cases or law.)*:

ON 1/23/26, ICE ARRESTED PETITIONER WITHOUT PRESENTING A JUDICIAL WARRANT, ADMINISTRATIVE WARRANT, OR WRITTEN NOTICE EXPLAING THE BASIS FOR HIS ARREST. PETITIONER WAS IMMEDIATELY TAKEN DIRECTLY INTO IMMIGRATION CUSTODY AFTER BONDING OUT OF COUNTY CUSTODY THAT EVENTUALLY LED TO A DISSMISAL. THE ARREST AND DETENTION OCCURRED WITHOUT ADEQUATE PROCEDURAL SAFEGUARDS.

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

☐ Yes ☒ No

GROUND THREE: VIOLATION OF PETITIONER'S LIBERTIES INTEREST IN CONTINUE RELIEF.

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

PETITIONER WAS PAROLED INTO THE UNITED STATES, LIVED IN THE COMMUNITY, ESTABLISHED COMMUNITY TIES AND PURSUIT LAWFUL IMMIGRATION RELIEF THROUGH A PENDING APPLICATION UNDER THE CUBAN ADJUSTMENT ACT. THE CONTINUE DEPRIVATION OF PETITIONER'S LIBERTIES WITHOUT ADEQUATE PROCEDURAL PROTECTION VIOLATES THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT.

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

☐ Yes ☒ No

GROUND FOUR: CONTINUE DETENTION IS NOT REASONABLY RELATED TO ITS PURPOSE.

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

PETITIONER HAS BEEN DEPRIVED OF LIBERTY WITHOUT CONSTITUTIONALLY SUFFICANT PROCEEDURAL PROTECTION. IMMIGRATION DETENTION IS CIVIL IN NATURE AND CANNOT BE IMPOSED IN A MANNER THAT DENIES FUNDAMENTAL FAIRNESS. PETITIONER HAS NOT BEEN AFFORDED A CONSTITUTIONALLY ADEQUATE OPPORTUNITY TO CHALLENGE CONTINUE DETENTION BEFORE A NEUTRAL ADJUDICATOR WITH AUTHORITY TO ORDER RELEASE.

(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 ORDER'S PETITIONER'S IMMEDIATE RELEASE FROM ICE CUSTODY. DECLARE THAT THE PETITIONER'S CONTINUE DETENTION WITHOUT CONSTITUTIONALLY ADEQUATE PROCESS VIOLATED THE DUE PROCESS CLAUSE OF THE FIFTH AMENDMENT. AWARD ANY OTHER FORM OF RELIEF THAT THE COURT DEEMS JUST AND PROPER.

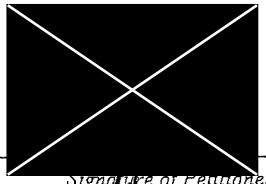
Declaration Under Penalty Of Perjury

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

7/7/2026

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: 7/7/2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any