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JUL 22 2026
CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY
DEPUTY CLERK

UNITED STATES DISTRICT COURT
EASTERN DISTEICT OF CALIFORNIA

Anthony Alexander Landaez Castro.

A#: [redacted]

Petitioner,

vs.

1. Acting Director, U.S. Immigration and Customs Enforcement;
2. United States Attorney for the Central District of California;
3. Attorney General of the United States; Secretary of the Department of Homeland Security;
4. **WARDEN, GOLDEN STATE ANNEX,**

Respondents.

Civ. Case No 1:26CV05701 TLN-CSK

DHS File Number:

PETITION FOR WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

PETITION FOR WRIT OF HABEAS CORPUS

PRO SE PETITIONER

I. INTRODUCTION.

I, **Anthony Alexander Landaez Castro**, respectfully submit this Petition for a Writ of Habeas Corpus pursuant to **28 U.S.C. § 2241**, asking this Court to review the legality of my continued immigration detention and to protect my constitutional right to due process under the Fifth Amendment.

I have remained in ICE custody since **December 5, 2025**, for more than seven months. During this time, I have been transferred through multiple detention facilities in several states, including Stuart Processing Center, Alligator Alcatraz, Glades County Detention Center, Broward Transitional Center, detention facilities in Texas, Krome North Service Processing Center, and I am currently detained at Golden State Annex in California. Throughout these repeated transfers, I have remained separated from my family, deprived of my liberty, and subjected to detention conditions that have negatively affected both my physical and mental health.

I have **no criminal convictions or criminal history**. Before my arrest, I lived continuously in the same community for several years, maintained stable employment, paid my taxes, and supported my wife and our three children, including **two young United States citizen children** who continue to suffer because of my prolonged detention. My family depends on me financially and emotionally, and my continued detention has caused severe hardship to my wife and children.

My current immigration situation resulted in large part from the ineffective representation of my former attorney, who failed to timely submit critical evidence supporting my asylum claim despite being given a deadline by the Immigration Judge. As a result, the Immigration Judge concluded that my asylum application had been abandoned and entered a removal order against me. I did not intend to abandon my case, and that decision is currently on appeal.

Despite presenting evidence of my strong family ties, stable employment, lack of any criminal record, community support, and willingness to comply with any conditions of release, I have remained detained while repeatedly being labeled a flight risk. My

continued detention has become excessively prolonged, and I respectfully believe that it no longer serves a legitimate civil immigration purpose.

For these reasons, I respectfully ask this Court to review the legality of my continued detention, grant this Petition for a Writ of Habeas Corpus, order my immediate release or, alternatively, provide any other relief that this Court deems just and proper under the Constitution and laws of the United States.

JURISDICTION AND VENUE.

I bring this Petition for a Writ of Habeas Corpus pursuant to **28 U.S.C. § 2241** to challenge the legality of my continued immigration detention under the Constitution and laws of the United States.

This Court has subject matter jurisdiction under **28 U.S.C. §§ 1331 and 2241** because this action presents a federal question and challenges the legality of my present confinement by the United States Department of Homeland Security ("DHS") and U.S. Immigration and Customs Enforcement ("ICE").

This Court also has authority to grant the relief requested under **28 U.S.C. § 2243**, which authorizes federal courts to hear petitions for writs of habeas corpus and to order appropriate relief when a person's detention is found to be unlawful.

Venue is proper in the **United States District Court for the Eastern District of California** because I am currently confined at **Golden State Annex**, which is located within this judicial district, and my immediate custodian is subject to the jurisdiction of this Court.

I am currently in the physical custody of ICE and remain detained without my liberty despite my prolonged detention, the absence of any criminal convictions, my strong family and community ties, and my pending immigration proceedings. Through this Petition, I respectfully request that this Court determine whether my continued detention

complies with the Due Process Clause of the Fifth Amendment and other applicable provisions of federal law.

PARTIES.

Petitioner, Anthony Alexander Landaez Castro, is a citizen and native of Venezuela and is currently detained by U.S. Immigration and Customs Enforcement ("ICE") at **Golden State Annex**. I am identified by Alien Registration Number A[redacted] I bring this Petition **pro se** to challenge the legality of my continued immigration detention.

Respondent Caleb Vitello is the Acting Director of U.S. Immigration and Customs Enforcement ("ICE") and is responsible for the administration and enforcement of the federal immigration detention system. He is sued in his official capacity.

Respondent Mellissa B. Harper is the Acting Field Office Director of ICE Enforcement and Removal Operations for the San Francisco Field Office, which has supervisory authority over my immigration detention. She is sued in her official capacity.

Respondent Warden, Golden State Annex, is the official responsible for my immediate physical custody and confinement. The Warden has day-to-day authority over my detention and is sued in his or her official capacity because this Petition challenges the legality of my continued custody.

At all times relevant to this Petition, the Respondents have acted under color of federal law and have exercised legal authority over my continued immigration detention.

FACTUAL BACKGROUND.

I am a native and citizen of Venezuela. I entered the United States through El Paso, Texas, on **December, 04 2021**. Since my arrival, I have continuously resided in the United States, established my home in Port Saint Lucie, Florida, maintained stable employment, paid my taxes, and became the primary financial provider for my wife and our three children, including two young United States citizen children.

On the evening of **December 5, 2025**, at approximately **7:32 p.m.**, I was driving to pick up my brother so he could attend a Christian home fellowship meeting held at my residence every Friday. After I drove through an intersection, a Florida State Trooper initiated a traffic stop. The officer requested my driver's license and proof of insurance and returned to her patrol vehicle for more than twenty minutes. When she came back, she ordered me out of my vehicle and informed me that I was under arrest because there was an immigration hold against me. She told me that I would be taken to the county jail and that if immigration authorities did not assume custody within approximately forty-eight hours, I would be released.

More than thirty hours later, ICE officers took me into immigration custody and transferred me to the Stuart Processing Center. Although the paperwork I received stated that I would be transferred to Krome North Service Processing Center, I was instead transferred to **Alligator Alcatraz**, where I remained throughout December 2025.

While detained at Alligator Alcatraz, I was held under harsh conditions with inadequate hygiene supplies and limited medical care. During that time, I developed painful skin rashes and lesions, and I repeatedly suffered from sore throats and respiratory problems caused by dust and the constant exposure to cold air from the ventilation system.

Before my first immigration hearing, I was transferred to **Glades County Detention Center**, where I remained for approximately five months. My skin condition worsened significantly. Although I repeatedly requested medical attention and received medicated creams, my condition continued to deteriorate.

During my immigration proceedings, my first bond request was denied for lack of jurisdiction. Later, my asylum case was scheduled for an individual hearing. The Immigration Judge gave my former attorney a deadline to submit supporting evidence before the hearing. Despite having sufficient time to do so, my attorney failed to submit the required evidence before the deadline and attempted to present it during the hearing. The Immigration Judge concluded that my asylum application had been abandoned and entered a removal order against me. I never intended to abandon my asylum claim and

relied entirely on my attorney to properly represent me. That decision has been appealed and remains under review.

After retaining new counsel, additional motions were filed seeking my release on bond. During a subsequent bond hearing, evidence was presented demonstrating my strong family ties, stable employment history, lack of criminal history, community support, and willingness to comply with any conditions of release. Despite this evidence, the Department of Homeland Security argued that I posed a flight risk because of the existing removal order. My request for release was ultimately denied.

Since entering ICE custody, I have been repeatedly transferred between multiple detention facilities in different states, including Broward Transitional Center, detention facilities in Texas, Krome North Service Processing Center, and finally Golden State Annex in California. Several of these transfers occurred without explanation. During one transfer, I remained handcuffed and shackled for many hours without adequate access to water or restroom facilities. During another transfer, I was housed for several days in overcrowded and extremely cold holding rooms with inadequate hygiene, limited food, and no meaningful medical care. My personal property was also lost during these repeated transfers and has not been returned.

I have now remained in immigration detention for more than seven months. My prolonged detention has caused severe emotional and financial hardship to my family. My wife has experienced significant stress and health problems, and my children have suffered emotionally because of my prolonged absence. My oldest daughter continually asks when I will return home, and my family continues to struggle without my support.

ARGUMENT.

GROUND ONE

Petitioner's Continued Detention Exceeds ICE's Statutory Authority.

The Immigration and Nationality Act authorizes the Department of Homeland Security ("DHS") to detain certain noncitizens during immigration proceedings. However, that statutory authority is not unlimited. Congress authorized immigration detention only for specific civil immigration purposes, and that authority must be exercised within the limits established by the Immigration and Nationality Act and the Constitution.

Regardless of whether DHS claims authority under **8 U.S.C. § 1226** or **8 U.S.C. § 1231**, neither statute authorizes indefinite, arbitrary, or unnecessarily prolonged detention. The Government's authority to detain exists only so long as the detention remains reasonably related to the legitimate objectives established by Congress.

Statutory authority and constitutional authority are not the same. Even when Congress authorizes detention by statute, the Executive Branch must continue to exercise that authority in a manner consistent with constitutional limitations. A statute cannot be interpreted to authorize detention that exceeds the limits imposed by the Due Process Clause of the Fifth Amendment.

In my case, I have remained continuously detained since **December 5, 2025**. During that time, DHS has continued to exercise detention authority without demonstrating that my continued confinement remains authorized under the applicable immigration statute. The mere existence of ongoing immigration proceedings or a removal order under appellate review does not automatically authorize continued detention without limitation.

The Supreme Court has repeatedly recognized that immigration detention is civil rather than punitive and that statutory detention authority must be interpreted consistently with constitutional principles. When detention extends beyond the purposes authorized by

Congress, continued confinement exceeds the scope of the Government's statutory authority and becomes subject to habeas review.

Accordingly, I respectfully submit that this Court should determine whether DHS currently possesses lawful statutory authority to continue detaining me under the facts and circumstances of this case. If the Government cannot establish that my continued detention is authorized by the Immigration and Nationality Act as properly interpreted, my continued confinement is unlawful, and this Court should grant the requested writ of habeas corpus

GROUND TWO

Petitioner's Continued Detention Violates the Fifth Amendment Because It Has Become Excessive, Arbitrary, and Punitive.

The Fifth Amendment to the United States Constitution prohibits the federal government from depriving any person of liberty without due process of law. This constitutional protection extends to all persons physically present within the United States, including noncitizens in immigration detention.

Immigration detention is a civil measure, not a criminal punishment. Its sole purpose is regulatory—to facilitate immigration proceedings and, where appropriate, effectuate removal. Because immigration detention is civil in nature, it must remain reasonably related to those legitimate governmental objectives. Once detention ceases to bear a reasonable relationship to its civil purpose and becomes excessive in relation to that purpose, it violates the Due Process Clause of the Fifth Amendment.

In **Zadvydas v. Davis, 533 U.S. 678 (2001)**, the Supreme Court recognized that immigration detention is subject to important constitutional limitations and that the Government's detention authority cannot be interpreted to authorize detention that raises serious constitutional concerns. Likewise, in **Bell v. Wolfish, 441 U.S. 520 (1979)**, the Supreme Court explained that civil detention may not become punitive. When restrictions

or confinement are excessive in relation to their legitimate regulatory purpose, they cease to be civil and become unconstitutional punishment.

Similarly, in **Foucha v. Louisiana, 504 U.S. 71 (1992)**, the Supreme Court reaffirmed that civil confinement cannot continue once it no longer serves the limited purpose that originally justified it. The Constitution does not permit the Government to continue depriving a person of liberty merely because it has the physical ability to do so. Civil detention must remain justified by a legitimate governmental objective throughout the period of confinement.

The Supreme Court reached a similar conclusion in **Jackson v. Indiana, 406 U.S. 715 (1972)**, holding that the nature and duration of civil confinement must bear a reasonable relationship to the purpose for which the individual is detained. When detention becomes excessive in relation to that purpose, it violates substantive due process.

My continued detention no longer bears a reasonable relationship to the legitimate civil purposes of immigration detention. Instead, my confinement has become excessive, arbitrary, and punitive. The continued deprivation of my liberty exceeds what substantive due process permits under the Fifth Amendment and therefore constitutes an unconstitutional restraint on my freedom.

For these reasons, I respectfully submit that my continued detention violates the Due Process Clause of the Fifth Amendment. Because my detention has become excessive in relation to its purported civil immigration purpose, this Court should grant habeas relief and order my immediate release or such other appropriate relief as justice requires

GROUND THREE

Petitioner's Continued Detention Is the Result of Extraordinary Circumstances Beyond His Control.

My continued detention is not the result of any refusal on my part to comply with the immigration process, nor did I intentionally abandon my asylum application. Instead, the

circumstances leading to my continued detention arose from events entirely beyond my control.

During my immigration proceedings, the Immigration Judge established a deadline for my former attorney to submit the documentary evidence supporting my asylum application. Despite having been given sufficient time to comply with the Court's instructions, my attorney failed to submit the required evidence before the deadline established by the Immigration Judge.

When the merits hearing took place, my attorney attempted to provide the evidence for the first time during the hearing. The Immigration Judge explained that the deadline had already expired and that the evidence should have been submitted no later than the previous day. Because the required evidence had not been timely filed, the Immigration Judge concluded that my asylum application had been abandoned and entered a removal order against me.

At no time did I instruct my attorney to abandon my asylum case. I consistently intended to pursue my application and relied entirely upon my attorney to comply with the Court's deadlines, submit the required evidence, and protect my legal rights. As a detained individual with limited access to legal resources, I depended on counsel to properly represent me throughout the proceedings.

After the removal order was entered, my former attorney stopped communicating with me and failed to adequately explain what had occurred in my case. Because I no longer had confidence that my interests were being protected, I was forced to retain new counsel at significant financial expense to my family.

My current attorney promptly reviewed my case, filed an appeal challenging the Immigration Judge's decision, and requested additional bond proceedings in an effort to secure my release while my immigration case remains under review. Although new evidence and legal arguments were presented during those proceedings, I have remained in ICE custody.

These extraordinary circumstances demonstrate that my continued detention did not result from any lack of diligence or misconduct on my part. Rather, my detention has been prolonged because of circumstances beyond my control, including the failures of my former legal representative and the resulting procedural posture of my immigration case.

Under these circumstances, continued detention is fundamentally unfair and weighs strongly in favor of habeas relief. I respectfully request that this Court consider these extraordinary facts when determining whether my continued detention remains lawful under the Constitution and the laws of the United States.

GROUND FOUR

The Totality of Petitioner's Circumstances Demonstrates That Continued Detention Is No Longer Justified.

When all of the facts and circumstances of my case are considered together, my continued immigration detention is no longer reasonable, necessary, or justified.

I have now remained in ICE custody for more than seven months. During this period, I have been transferred repeatedly through multiple detention facilities in different states, including Stuart Processing Center, Alligator Alcatraz, Glades County Detention Center, Broward Transitional Center, detention facilities in Texas, Krome North Service Processing Center, and I am currently detained at Golden State Annex in California. These repeated transfers have disrupted my ability to maintain consistent communication with my attorneys and my family and have unnecessarily prolonged the hardship caused by my detention.

Throughout my detention, I have endured harsh conditions of confinement. While detained, I developed painful skin rashes and lesions that worsened over time despite repeated requests for medical care. I was housed in extremely cold holding rooms for extended periods, exposed to unsanitary conditions, and, during one transfer, remained

restrained for many hours without adequate access to water or restroom facilities. During these repeated transfers, my personal property was also lost and has not been returned.

Before my detention, I lived continuously in the same community, maintained stable employment with a well-established company, paid my taxes, and complied with my legal obligations. I have never been convicted of a criminal offense and have no criminal history.

I am the husband of my wife and the father of three children, including two young United States citizen children. Before my detention, I was the primary financial provider for my family. My prolonged detention has caused significant emotional and financial hardship. My children have been deprived of their father's presence during important years of their lives, and my wife has been forced to bear the burden of supporting our family while also coping with the emotional impact of my continued detention.

During my bond proceedings, substantial evidence was presented demonstrating my eligibility for release. My sponsor appeared before the Immigration Court, as did my direct supervisor and the manager of my former employer, all of whom expressed their willingness to support me and confirmed that I had stable employment available upon my release. Despite this evidence, I was repeatedly characterized as a flight risk. To this day, the Government has never presented specific evidence demonstrating that I would fail to appear for future immigration proceedings or that I pose any danger to the community.

The totality of these circumstances—including my prolonged detention, repeated transfers, deteriorating health, loss of personal property, strong family and community ties, stable employment history, lack of any criminal record, and the absence of evidence establishing that I present either a danger to the community or a genuine risk of flight—demonstrates that my continued detention no longer serves any legitimate immigration purpose.

For all of these reasons, I respectfully request that this Court grant my Petition for a Writ of Habeas Corpus, order my immediate release from ICE custody, or grant such other

relief as the Court deems just and proper under the Constitution and laws of the United States.

VI. REQUEST FOR RELEASE.

WHEREFORE, I respectfully request that this Honorable Court grant this Petition for a Writ of Habeas Corpus and provide the following relief:

- Accept jurisdiction over this Petition pursuant to **28 U.S.C. § 2241** and review the legality of my continued immigration detention.
- Declare that my continued detention violates the Constitution and laws of the United States because it has become unreasonably prolonged and no longer serves a legitimate civil immigration purpose.
- Order my immediate release from ICE custody.
- Alternatively, if this Court determines that immediate release is not appropriate, order an individualized bond hearing supervised by this Court before a neutral decision-maker, at which the Government bears the burden of proving by clear and convincing evidence that my continued detention is necessary because I present either a genuine risk of flight or a danger to the community.
- If the Court determines that some form of supervision is appropriate, I respectfully request release under the least restrictive conditions necessary to ensure my appearance at future immigration proceedings, including release on bond, release on recognizance, periodic reporting requirements, electronic monitoring, GPS monitoring, ISAP supervision, or any other reasonable conditions that this Court deems appropriate.
- Order Respondents not to transfer me outside the jurisdiction of this Court while this Petition is pending unless authorized by further order of the Court.
- Grant such other and further relief as this Court deems just, equitable, and proper.

VII. CONCLUSION

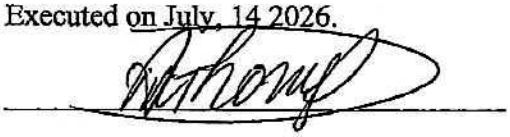
For all the reasons set forth in this Petition, I respectfully submit that my continued immigration detention is unlawful under the Constitution and laws of the United States. My detention has become unreasonably prolonged and no longer serves a legitimate civil immigration purpose. I have remained in ICE custody despite my lack of any criminal history, my strong ties to the community, and my continued efforts to pursue my immigration case through the legal process.

I respectfully ask this Court to carefully review the facts and legal arguments presented in this Petition and to grant the requested habeas relief. I further request that the Court order my immediate release or, in the alternative, order an individualized bond hearing under the supervision of this Court, with any reasonable conditions of release the Court deems appropriate, including bond, reporting requirements, electronic monitoring, or any other condition sufficient to ensure my appearance at future immigration proceedings.

I respectfully pray that this Court grant this Petition and award such other and further relief as justice requires

Respectfully submitted,

Executed on July, 14 2026.



Anthony Alexander Landaez Castro.

A# [redacted]

Pro Se

VIII. DECLARATION OF ANTHONY ALEXANDER LANDAEZ CASTRO

- I, **Anthony Alexander Landaez Castro**, declare under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following statements are true and correct based upon my personal knowledge:
- My name is **Anthony Alexander Landaez Castro**. I am a native and citizen of Venezuela. My Alien Registration Number is A[redacted] I am currently detained by U.S. Immigration and Customs Enforcement ("ICE") at **Golden State Annex** in California.
- I entered the United States through the southern border near El Paso, Texas, on or about **December 04 2021**. Since then, I have continuously lived in the United States and established my life here.
- On **December 5, 2025**, I was stopped by a Florida State Trooper in Port Saint Lucie, Florida, after allegedly proceeding through a yellow traffic light. During that encounter, immigration authorities were contacted, and I was taken into ICE custody. I have remained detained ever since.
- Following my arrest, I was transferred through several detention facilities, including Port Saint Lucie Jail, Stuart, Alligator Alcatraz, Glades County Detention Center, Broward Transitional Center, a detention facility in El Paso, Texas, Krome North Service Processing Center, and finally Golden State Annex in California. These repeated transfers have made it significantly more difficult for me to communicate with my attorney and my family and to effectively participate in my immigration proceedings.
- At the time of my detention, I had been living in the United States for nearly five years. I had stable employment, maintained a valid employment authorization, paid taxes, and financially supported my household. I had become an active and productive member of my community.
- I have **no criminal convictions** and no history of violent conduct. I have always attempted to comply with the law and have never posed a danger to the public.

- I am married, and my wife and our children depend heavily upon me. Two of my children are **United States citizens**, and my prolonged detention has deprived them of the emotional, financial, and parental support that I have always provided.
- My detention has caused severe hardship to my entire family. My wife has been forced to assume all financial responsibilities while caring for our children without my assistance. My prolonged absence has caused tremendous emotional suffering to my family, especially my young children, who do not understand why I have been separated from them for so long.
- Personally, I have suffered significant emotional and psychological harm while detained. I experience anxiety, depression, sadness, stress, uncertainty, and difficulty sleeping. I have also developed recurring skin rashes that require medical attention inside the detention facility.
- During my detention I have also experienced disrespectful treatment, including racist comments from certain detention staff, which has further affected my emotional well-being and dignity.
- I requested release from custody through the immigration court. One request was denied for lack of jurisdiction, and another was denied based on an allegation that I presented a flight risk. I respectfully disagree with that determination because my family, my long residence, my employment history, and my lack of any criminal record demonstrate that I have strong ties to the United States and every incentive to comply with any conditions of release.
- My immigration case resulted in an order of removal after my attorney failed to adequately present the legal arguments supporting my asylum claim. That decision has been appealed, and I continue to pursue my legal rights through the appropriate legal process.
- My continued detention has made it extremely difficult to assist my attorney, review legal documents, gather evidence, communicate with witnesses, and meaningfully participate in the preparation of my case. These limitations substantially impair my ability to protect my constitutional and statutory rights.
- I respectfully believe that my prolonged civil immigration detention has become excessive and unnecessary. I am willing to comply with any reasonable conditions of release that this Court or ICE may impose, including electronic monitoring, reporting requirements, or any other form of supervision deemed appropriate.

- I respectfully request that this Court grant my Petition for Writ of Habeas Corpus, order my immediate release, or, alternatively, order an immediate constitutionally adequate individualized custody hearing before a neutral decision-maker where the Government bears the burden of proving that my continued detention is justified.
- I declare under penalty of perjury under the laws of the United States of America that the foregoing is true and correct.
- Executed on _____, 2026, at Golden State Annex, California.
- Respectfully submitted,



Anthony Alexander Landaez Castro.

A#: [redacted]

Pro se