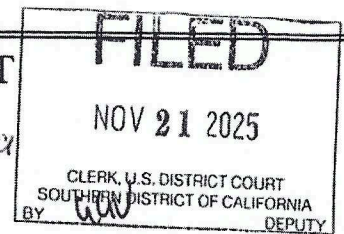


AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the
Southern District of California



Vadim Sufiiarov
Petitioner

'25CV3265 LL DDL

v.
Warden, Otay Mesa Detention Center.

Case No. 

(Supplied by Clerk of Court)

Field Office Director, Ice San Diego.

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: Vadim Sufiiarov
- (b) Other names you have used: _____
2. Place of confinement:
 - (a) Name of institution: Otay Mesa Detention Center, c/o Core Civic
 - (b) Address: P.O. Box 439049, San Diego, CA 92143-9049
Pod - H 116
 - (c) Your identification number: 
3. Are you currently being held on orders by:

☒ Federal authorities ☐ State authorities ☐ Other - explain: _____
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: Otay Mesa Immigration Court
P.O. Box 438150, San Diego, CA 92143-8150.

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

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

Challenging: Prolonged immigration detention pre-final removal
order with delays (case reset by new judge, appeal pending,
hearings ongoing) No final decision after 10 months.

(d) Date of the decision or action: January 1, 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: Prolonged pre-removal
detention claims under § 2241 do not require exhaustion.

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: Board of Immigration Appeals

(2) Date of filing: September 29, 2025

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

(4) Result: Pending

(5) Date of result: N/A

(6) Issues raised: Challenge to case cancellation and delays

(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: _____

No higher appeal needed for habeas.

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: January 1, 2025

(b) Date of the removal or reinstatement order: No final order yet

(c) Did you file an appeal with the Board of Immigration Appeals?

☒ Yes

☐ No

If "Yes," provide:

(1) Date of filing: September 29, 2025(2) Case number: (3) Result: Pending(4) Date of result: N/A(5) Issues raised: case cancellation, delays

(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: Master hearing notices(b) Name of the authority, agency, or court: immigration court(c) Date of filing: November 3, 2025 next November 19, 2025(d) Docket number, case number, or opinion number: (e) Result: Ongoing(f) Date of result: N/A(g) Issues raised: Request for release

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: Prolonged detention without final order

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

Entered via CBPOne Jan 1 2025 detained. Final hearing set Sep. 10 2025. New Judge May 22 delete case. Field brief Jul 23, 2025. Appeal Sep. 29 2025. Master hearing Nov. 3 2025 next Nov 19, 2025. Detained - 10 months with delays, no foreseeable end

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

☐ Yes

☒ No

GROUND TWO: Violation of due process (unreasonable delays)

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

Facts: Case reset without cause, appeal pending > 1 month, hearings spaced out (next in 16 days from Nov 3). Hardship from 10+ months detention, no criminal record or flight risk.

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

☐ Yes

☒ No

GROUND THREE: No bond hearing provided

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

Facts: Detained since entry, no opportunity to request bond despite prolonged status and ongoing proceedings.

(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: Grounds are constitutional (due process) raised directly in habeas; no prior exhaustion required for pre-removal detention challenges.

Request for Relief

15. State exactly what you want the court to do: Immediate release if detention unreasonable.

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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:

November 12, 2025

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: November 12, 2025



Signature of Petitioner

Signature of Attorney or other authorized person, if any

Memorandum

Hello, my name is Vadim Sufijarov. I fled to Mexico from my country on March 4, 2024, hoping to request political asylum in the United States, because for me, the United States is the only safe country in the world. I wanted to cross the border as legally as possible, so I checked the CBP One app every day, hoping to get an entry. Finally, after 303 days, I was able to catch the date and crossed the border on January 1, 2025, through the port of San Isidro legally. Once on American soil, I was happy because I thought the worst was over and I was safe in the hands of the American government, but it turned out that while fleeing persecution in Russia, I ended up in an American prison. As of November 12, 2025, I've been in detention for 316 days. During that time, I've lost over 30 kilograms +, am constantly stressed, and spent four months in detention due to my case being overturned without cause. The worst part is, I don't know what will happen next. I could be sentenced to a final sentence and then canceled. The officer Ice could lie to me. I could be stuck here for another year or more.

Please help me get released, as my detention is illegal.

November 12, 2025 