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DETAINED

8 **UNITED STATES DISTRICT COURT**
9 **CENTRAL DISTRICT OF CALIFORNIA**

10 GURDEEP SINGH, an individual,

Case No.:

11 Petitioner,

**PETITION FOR WRIT OF HABEAS
CORPUS (28 U.S.C. § 2241)**

12 v.

13
14 TODD M. LYONS, Acting Director, U.S.
15 Immigration and Customs Enforcement;
16 MARCOS CHARLES, Acting Executive
17 Associate Director, Enforcement and
18 Removal Operations, U.S. Immigration
19 and Customs Enforcement; KRISTI
20 NOEM, Secretary, U.S. Department of
21 Homeland Security; PAMELA BONDI,
22 U.S. Attorney General; and DOE 1,
23 Warden of ICE Desert View Facility,

Agency file no.:

A 

24 Respondents.

**TO THE HONORABLE COURT AND TO THE PARTIES AND THEIR
COUNSEL OF RECORD:**

PLEASE TAKE NOTICE that Petitioner GURDEEP SINGH
("Petitioner"), A-Number , by and through his attorneys hereby
petitions the Court for a Writ of Habeas Corpus, pursuant to Art. I, § 9, cl. 2 of the
United States Constitution; 28 U.S.C. § 2241; 28 U.S.C. § 1331; and 28 U.S.C. §
1651; and 28 U.S.C. §§2201, 2202, and for a directive to Respondents to
immediately release Mr. Singh from his detention.

INTRODUCTION

1. Petitioner Gurdeep Singh, is a 47-year-old citizen of India who
unlawfully arrested by U.S. Immigration and Customs Enforcement ("ICE") on
December 18, 2025, at check-in appointment at the ICE Los Angeles Field Office
located at 300 North Los Angeles Street, Los Angeles, California 90012. Petitioner
remains detained by ICE at the California City Corrections Center, at ICE Desert
View Facility, 10450 Rancho Road, Adelanto, California.

2. Petitioner was granted withholding of removal to India by an
Immigration Judge. He has no criminal record. He is married to a U.S. citizen, with
two U.S. citizen minor children. He is the beneficiary of an approved I-130 filed by
his wife. Petitioner's wife suffers from several mental health diagnoses such that
Petitioner's continued detention poses a high risk of severe harm to her. Petitioner

1 has worked for [REDACTED] for over a
2 decade, and he dutifully pays his taxes.

3 3. For years, Petitioner has dutifully attended all of his scheduled
4 reporting appointments with U.S. Immigration Customs and Enforcement (“ICE”).
5 On December 18, 2025, Petitioner was attending one such check-in when he was
6 arrested by ICE. The arrest was conducted without a warrant and with no flight risk
7 evaluation. In fact, there is no risk of flight in Petitioner’s case.
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10 4. Respondent’s warrantless arrest of Petitioner was without legal basis.
11 As was recently decided by a District Judge in the District of Columbia, ICE’s
12 recent policy of arresting non-citizens without a warrant and without an
13 individualized flight risk assessment justifying the arrest likely violates
14 constitutional Due Process and the Immigration and Nationality Act (“INA”).
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17 CUSTODY

18 5. Petitioner is currently detained under the authority of ICE at the ICE
19 Desert View Facility, 10450 Rancho Road, Adelanto, California. Petitioner is in the
20 physical custody and under the direct control of Respondents.
21

22 JURISDICTION

23 6. 12. This Court has jurisdiction to entertain this habeas petition
24 under 28 U.S.C. §§ 1331, 2241, and 1346; the Due Process Clause of the Fifth
25 Amendment, U.S. Const. amend. V; and the Suspension Clause, art I, § 9.
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VENUE

7. Venue is proper in this District pursuant to 28 U.S.C. §§ 1391 and 2242 because Petitioner is detained in this District, his immediate physical custodian is located here, and a substantial part of the events giving rise to the claims occurred here.

PARTIES

8. Petitioner, Gurdeep Singh, is a noncitizen currently detained by Respondents at ICE Desert View Facility, 10450 Rancho Road, Adelanto, California. He has been in Respondents' custody since on or around December 18, 2025.

9. Respondent Todd M. Lyons is the Acting Director of U.S. Immigration and Customs Enforcement (ICE). He is a legal custodian of Petitioner and is named in his official capacity.

10. Respondent Marcos Charles is the Acting Executive Associate Director of Enforcement and Removal Operations for U.S. Immigration and Customs Enforcement (ICE). He is a legal custodian of Petitioner and is named in his official capacity.

11. Respondent Kristi Noem is the Secretary of the United States Department of Homeland Security (DHS). She is a legal custodian of Petitioner and is named in her official capacity.

1 asylum. But the IJ granted Mr. Singh's application for Withholding of Removal to
2 India under INA § 241(b)(3) and held in abeyance Mr. Singh's request for
3 protection under the Convention Against Torture. (See BIA Decision, **Exhibit 2.**)
4

5 17. On January 25, 2014, Mr. Singh married Ms. Prabhjot Kaur in Los
6 Angeles, California. Ms. Kaur is a U.S. citizen, having naturalized in 2013. They
7 live together with their two minor children at [REDACTED]
8 California. (See Marriage Certificate, **Exhibit 3**; Naturalization Certificate, **Exhibit**
9 **4**; Passport of Prabhjot Kaur, **Exhibit 5**; Declaration of Prabhjot Kaur, **Exhibit 6**;
10 Passport of child, C [REDACTED], **Exhibit 7**; Passport of child, P [REDACTED]
11 **Exhibit 8.**)
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14 18. On March 13, 2015, U.S. Citizenship and Immigration Services
15 ("USCIS") granted Ms. Kaur's Form I-130 Petition for Alien Relative that she filed
16 on behalf of her husband, Mr. Singh. (See I-130 Approval, **Exhibit 9.**)
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18 19. Mr. Singh is a diabetic and takes daily medication to manage his
19 condition. Mr. Singh also suffers daily pain from a back injury he sustained from an
20 assault he suffered approximately two years ago.
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22 20. While here in the United States, Mr. Singh has dutifully attended all of
23 his scheduled reporting appointments with U.S. Immigration Customs and
24 Enforcement ("ICE").
25

26 21. Mr. Singh has no criminal record.
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1 22. Nevertheless, on Thursday, December 18, 2025, after Mr. Singh had
2 waited four (4) hours to speak to an ICE agent at one of his scheduled check-ins,
3 Mr. Singh was arrested by Respondents and taken into custody.

4 23. Mr. Singh was not presented with a warrant at the time of his arrest.
5 Respondents failed to interview Mr. Singh regarding or conduct any flight risk
6 analysis in connection with his intended arrest.

7 24. Currently, Mr. Singh is being detained under Respondents' custody at
8 ICE Desert View Facility, 10450 Rancho Road, Adelanto, California.

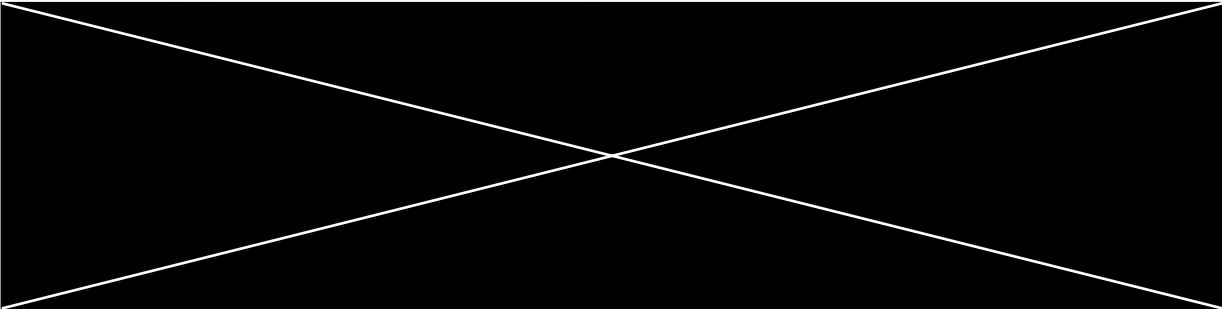
9 25. Ms. Kaur is suffering from medical conditions including acute anxiety,
10 panic disorder, and depression. More than one of Ms. Kaur's providers has opined
11 that Mr. Singh's continued detention is greatly exacerbating Ms. Kaur's medical
12 and mental conditions. (See Letter from Dr. Manbir Singh, **Exhibit 10**; Letter from
13 Dr. Poonam Somani, **Exhibit 11**.)

14 26. Mr. Singh has significant ties to the Southern California region beyond
15 his U.S. citizen wife and two minor children. (See Letter and Passport of Kuljit
16 Singh, **Exhibit 12**; Letter and Passport of Harjitsingh Gill, **Exhibit 13**.)

17 27. Since June 21, 2015, Mr. Sing has been employed by 
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Mr. Singh dutifully pays his taxes. (See Employment Verification Letter, **Exhibit**
14; 2024 Tax Return, **Exhibit 15**.)

1 28. Mr. Singh is 

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7 **LEGAL FRAMEWORK AND ARGUMENT**

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9 29. To succeed on a habeas petition, a petitioner must generally show that

10 he is “in custody in violation of the Constitution or laws or treaties of the United

11 States” 28 U.S.C. § 2241(c)(3).

12

13 30. District courts retain jurisdiction under 28 U.S.C. § 2241 to consider

14 habeas challenges to immigration detention that are sufficiently independent of the

15 merits of a removal order. *See Singh v. Holder*, 638 F.3d 1196, 1211-1212 (9th Cir.

16 2011); *cf. Jennings v. Rodriguez*, 583 U.S. 281 (2018). Furthermore, a writ of

17 habeas corpus is the proper avenue for prisoners to challenge the fact or duration of

18 their confinement. *See Preiser v. Rodriguez*, 411 U.S. 475, 489 (1973) (a writ of

19 habeas corpus is the sole available federal remedy when a prisoner challenges “the

20 fact or duration of his confinement”).

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23 **IRREPARABLE INJURY**

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25 31. Petitioner’s warrantless arrest and resulting confinement inflicts

26 irreparable harm that cannot be remedied by later judicial review. Every day of

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1 unlawful detention is an ongoing constitutional violation, which is in itself an
2 irreparable injury. *See, e.g., Melendres v. Arpaio*, 695 F.3d 990, 1002 (9th Cir.
3 2012) (Concerning the a preliminary injunction inquiry, “[i]t is well established that
4 the deprivation of constitutional rights ‘unquestionably constitutes irreparable
5 injury.’”)

7 32. Petitioner’s detention deprives him and his U.S. citizen wife of
8 emotional and financial support, inflicting harm that monetary damages cannot
9 repair. *See Leiva-Perez v. Holder*, 640 F.3d 962, 968 (9th Cir. 2011) (family
10 separation and deprivation of liberty constitute irreparable injury in the context of
11 stay of removal inquiry).

14 33. Lastly, prolonged detention without cause has caused escalating
15 anxiety, depression, and sleep disturbance for Petitioner and his U.S. Citizen wife.
16 Courts recognize that even short-term civil detention can cause lasting
17 psychological trauma.

19 34. Because these harms are immediate, ongoing, and not compensable by
20 money damages, the Court’s intervention is necessary to prevent continuing and
21 irreparable injury to Petitioner and his family.

23 **EXHAUSTION OF REMEDIES**

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25 35. The Ninth Circuit has consistently held that exhaustion is not required
26 where administrative remedies are inadequate, futile, or unavailable, particularly in
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1 immigration habeas cases. *Singh v. Holder*, 638 F.3d 1196, 1203 FN. 3 (9th Cir.
2 2011); *Puga v. Chertoff*, 488 F.3d 812, 815 (9th Cir. 2007); *see also Hernandez v.*
3 *Sessions*, 872 F.3d 976, 988-989 (9th Cir. 2017) (permitting habeas review of
4 custody without requiring exhaustion).
5

6 36. Accordingly, Petitioner properly seeks relief in this Court because
7 there exists no adequate administrative forum to contest his unlawful arrest and
8 confinement, and continued detention constitutes an ongoing violation of
9 constitutional rights.
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11 **VIOLATION OF INA § 287**
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13 37. Under 8 U.S.C. § 1357(a)(2), ICE officers may arrest a noncitizen
14 without a warrant if they (1) have reason to believe the noncitizen is in the United
15 States in violation of law and (2) the noncitizen is likely to escape before a warrant
16 can be obtained.
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18 38. This statutory authority requires an individualized pre-arrest
19 determination that both conditions are met. ICE must assess escape risk and
20 removability in advance, not after the arrest, and must document the basis for both
21 elements. Furthermore, arrests conducted based solely on the existence of a
22 removal order do not satisfy the statute's requirements. *Cf. Molina v. DHS*, No.
23 1:22-cv-00876, slip op. at 21 (D.D.C. 2025) (not published), **Exhibit 19**.
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26 39. ICE is currently conducting enforcement operations nationwide where
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1 agents routinely rely on biometrics or database flags alone; make no individualized
2 findings of escape risk; and routinely conduct arrests without warrants or
3 meaningful probable cause assessments. These practices are deficient under the
4 cited statute.
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6 40. Here, Petitioner was detained without a warrant, without any record or
7 statement of probable cause, and without any documented escape risk assessment—
8 even though he was lawfully present at an ICE check-in in full cooperation with
9 immigration authorities.
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11 41. Furthermore, Petitioner was not fleeing, not avoiding proceedings, and
12 was actively pursuing legal status through a family-based adjustment of status. His
13 attendance at the USCIS interview demonstrates compliance, not risk of escape.
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15 42. As such, the arrest of Petitioner violated 8 U.S.C. § 1357(a)(2) and
16 must be declared unlawful.
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18 **VIOLATION OF DUE PROCESS**

19 43. The Fifth Amendment protects noncitizens from arbitrary detention
20 and requires that immigration arrests and detentions comply with basic due process
21 standards, including fair procedures and individualized assessments.
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23 44. The Supreme Court has repeatedly held that noncitizens are entitled to
24 due process in deportation proceedings and related detention. *Zadvydas v. Davis*,
25 533 U.S. 678, 690 (2001).
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4. Award Petitioner his costs and reasonable attorneys' fees in this action under the Equal Access to Justice Act ("EAJA"), as amended, 5 U.S.C. § 504 and 28 U.S.C. § 2412, and on any other legal and just grounds; and

5. Grant any other further relief as the Court may deem just and appropriate.

Respectfully submitted,

Dated December 30, 2025.

/s/ [Steven Ridgill]
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EXHIBITS

1. Petitioner Photo ID
2. BIA Decision
3. Marriage Certificate
4. Naturalization Certificate
5. Passport of Prabhjot Kaur
6. Declaration of Prabhjot Kaur
7. Passport of child, G 
8. Passport of child, P 
9. I-130 Approval
10. Letter from Dr. Manbir Singh
11. Letter from Dr. Poonam Somani
12. Letter and Passport of Kuljit Singh
13. Letter and Passport of Harjitsingh Gill
14. Employment Verification Letter
15. 2024 Tax Return
16. Letter from the Khalsa Care Foundation
17. Letter from 
18. Letter from 
19. *Molina v. DHS*, No. 1:22-cv-00876, slip op. (D.D.C. 2025)

VERIFICATION

This petition cannot be verified by GURDEEP SINGH because he is in Respondents' custody. Consequently, the undersigned counsel for Petitioner hereby verifies that the information in this petition is true and correct to the best of my knowledge and belief based on information provided by the Petitioner and Petitioner's family.

SWORN under penalty of perjury this date of December 30, 2025, at Los Angeles, California.

/s/ [Steven K. Ridgill]

Steven K. Ridgill, attorney for
Petitioner, Gurdeep Singh

CERTIFICATE OF WORD COUNT

The undersigned, counsel of record for Petitioner, certifies that the preceding
Petition for Writ of Habeas Corpus contains 2,305 words in compliance with L.R.
11-6.1.

Certified this date of December 30, 2025, at Los Angeles, California.

/s/ [Steven K. Ridgill]

Steven K. Ridgill, attorney for
Petitioner