

FILED CLERK, U.S. DISTRICT COURT 12/30/2025 CENTRAL DISTRICT OF CALIFORNIA BY: _____ GSA _____ DEPUTY
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AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT
for the



Charles Winston James
Petitioner

v.

Case No. 5:25-cv-03617 -CAS-AS
(Supplied by Clerk of Court)

David Mayin (WARDEN)
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: Charles Winston James
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: ADELANTO IMMIGRATION DETENTION CENTER
(b) Address: 10250 RANCHO ROAD
ADELANTO, CA 92301
(c) Your identification number: [REDACTED]
3. Are you currently being held on orders by:
☐ Federal authorities ☐ State authorities ☒ Other - explain:
IMMIGRATION DETAINER
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)

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

- ☐ 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: _____

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

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

(d) Date of the decision or action: _____

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

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

(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

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

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: _____

JUNE 17, 2025

(b) Date of the removal or reinstatement order: _____

FEBRUARY 27, 2021

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

☐ Yes

☒ No

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

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: _____

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

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: _____

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 Do not cite cases or law.*):

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

☐ Yes

☐ No

GROUND TWO: _____

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 Do not cite cases or law.*):

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

☐ Yes

☐ No

GROUND THREE: _____

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 Do not cite cases or law.*):

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

☐ Yes

☐ No

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

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:

Request for Relief

15. State exactly what you want the court to do:

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

Declaration Under Penalty Of Perjury

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

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:

12/20/2025


Signature of Petitioner

Signature of Attorney or other authorized person, if any

Ground for Challenge in this Petition
GROUND ONE

Petitioner, challenges his continued detention by the Bureau of Immigration and Customs Enforcement ("ICE"). He claims the duration and nature of his detention is excessive in violation of his substantive due process rights, and he should be released immediately from Department of Homeland Security ("DHS") custody under appropriate conditions.

Petitioner contends that his continued detention violates the Supreme Court's ruling in *Zadvydas v. Davis*, 533 U.S. 678, 121 S. Ct. 2491, 150 L. Ed. 2D 653 (2001), because his seven months of detention is much longer than the presumptively valid six-month "when detention of an alien is prolonged, special care must be exercised so that the confinement does not continue beyond the time when the original justifications for custody are no longer tenable. An alien not normally subject to indefinite detention as in *Zadvydas* should not be detained simply because he "seeks to explore avenues of relief" legally available to him; while the alien may be responsible for seeking a stay of removal order, he is not responsible for the length of time such determinations may take.

Petitioner is therefore entitled to an individualized custody review under the Due Process Clause of the Fifth Amendment.

IMMIGRATION COURT
10250 RANCHO RD., SUITE 201A
ADELANTO, CA 92301

JAMES, CHARLES WINSTON
DHS CUSTODIAL OFFICER
10250 RANCHO RD.
ADELANTO, CA 92301

FILE: A 

RE: JAMES, CHARLES WINSTON

NOTICE OF CUSTODY REDETERMINATION HEARING IN IMMIGRATION PROCEEDINGS

PLEASE TAKE NOTE THAT THE ABOVE CAPTIONED CASE HAS BEEN
SCHEDULED/RESCHEDULED FOR A CUSTODY REDETERMINATION HEARING BEFORE THE
IMMIGRATION COURT ON Dec 24, 2025 AT 1:00 P.M. AT THE FOLLOWING ADDRESS:

10250 RANCHO ROAD, SUITE 201A
ADELANTO, CA 92301

YOU MAY BE REPRESENTED IN THIS PROCEEDING, AT NO EXPENSE TO THE GOVERNMENT, BY
AN ATTORNEY OR OTHER INDIVIDUAL AUTHORIZED AND QUALIFIED TO REPRESENT PERSONS
BEFORE AN IMMIGRATION COURT. IF YOU WISH TO BE REPRESENTED, YOUR ATTORNEY
OR REPRESENTATIVE SHOULD APPEAR WITH YOU AT THIS HEARING.

CERTIFICATION OF SERVICE

THIS DOCUMENT WAS SERVED BY: MAIL ☐ PERSONAL SERVICE ☐ ELECTRONIC SERVICE ☐
TO: ☐ ALIEN ☐ ALIEN c/o Custodial Officer ☐ ALIEN's ATT/REP ☐ DHS
DATE: 12/17/25 BY: COURT STAFF hiltonca
Attachments: ☐ EOIR-33 ☐ EOIR-28 ☐ Legal Services List ☐ Other

IMMIGRATION COURT
10250 Rancho Road, Suite 201A
Adelanto, CA 92301

FILE: A 

RE: **JAMES, CHARLES WINSTON**

**ELOY SUPPLEMENT TO NOTICE OF CUSTODY DETERMINATION HEARING
UNDER *RODRIGUEZ V. ROBBINS***

As noted in the attached Notice of Hearing, your case has been scheduled / rescheduled for a custody determination hearing before an immigration judge, as ordered by the federal district court in *Rodriguez v. Robbins*.

At your custody determination hearing, the government must prove by clear and convincing evidence that you are a flight risk or danger to the community to keep you detained. To show that you are a flight-risk, the government must show that you are not likely to appear for future immigration hearings or for removal. To show that you are a danger, the government must show that your release would harm property or persons. The Immigration Judge will consider alternatives to detention, such as supervised release and electronic monitoring, in determining whether you can be released.

You may present evidence to show why you are not a flight risk or danger to the community and should be released, including documents or witnesses. You may also testify at your custody determination hearing. If you intend to present evidence, you may submit documents and/or a witness list either at your hearing, or by filing them with the immigration court before your hearing. A copy must be sent to the Department of Homeland Security (DHS). If you submit documents at the hearing, you must bring a copy for the DHS attorney.

You may be represented at your custody determination hearing at no expense to the government, by an attorney or other individual authorized and qualified to represent persons before an immigration court. If you wish to be represented, your attorney or representative should appear with you at your custody determination hearing. If you do not appear with an attorney at your custody determination hearing and wish to be represented, you may ask the judge for more time to find an attorney or representative.

If you disagree with the judge's decision at the end of the hearing, you can appeal the decision by filing Form EOIR-26 with the Board of Immigration Appeals (BIA) within 30 days of the decision.

CERTIFICATION OF SERVICE

This Notice was served by: MAIL (M) or PERSONAL SERVICE (P)

TO: [☐] ALIEN [☐] ALIEN c/o Custodial Officer [☐] ALIEN's ATT/REP [☐] DHS DATE
served: 12/17/25 BY: HILTONCA Title: CLERK

Attachments: [☐] EOIR-33 [☐] EOIR-28 [☐] Legal Services List [☐] Other: _____

Charles Winston James

(Name of alien or aliens)


("Alien number" of alien or aliens)

CERTIFICATE OF SERVICE

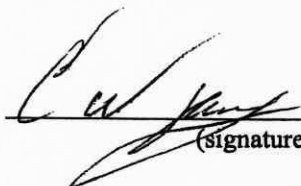
On 12/20/2025, I, Charles Winston James
(date) (printed name of person signing below)

served a copy of this motion under 2241,
(name of document)

and any attached pages to Office of US Attorney
(name of party served)

at the following address: 300 North Los Angeles street suite 7516 L A, Cali
(address of party served) 90012

by first class mail
(method of service, for example overnight courier, hand-delivery, first class mail)


(signature)

12/20/2025
(date)