

9-701. Petition for writ of habeas corpus.
 (For use with District Court Criminal Rule 5-802 NMRA)

STATE OF NEW MEXICO
 COUNTY OF CHAPARRAL
 IN THE DISTRICT COURT

FILED
 UNITED STATES DISTRICT COURT
 ALBUQUERQUE, NEW MEXICO

FEB 09 2026

For Official Use Only
 No. 26
 (To be supplied by the
 clerk of the court)

MITCHELL R. ELFERS
 CLERK

26 cv 354 MLG/SCY

THOMSON MAZHESE

(Full name of prisoner)

Petitioner,

v.

(Name of warden, jailor
 or other person having
 power to release the petitioner)

Respondent.

Instructions — Read Carefully

Make sure that all information provided in this form is true and correct. If more space is required, attach additional pages as needed. Make sure that all necessary documents are attached, or explain why the documents are not being included. If you are currently incarcerated, you may file the petition without payment of the filing fee. If you are not incarcerated and are seeking free process, complete Form 9-403.

Finally, you must complete the certificate of service and mail or otherwise serve copies of this petition on the respondent and the district attorney in the county in which the petition is filed. You must file the original petition and one copy with the Clerk of the District Court. You should keep a copy for your own records.

PETITION FOR WRIT OF HABEAS CORPUS

1. THOMSON MAZHESE (name of person in custody) is imprisoned or otherwise restrained at OTERO PROCESSING CENTER (name of facility and county of detention) by ICE (name and title of person having custody).

2. This petition (SELECT ONLY ONE. If you wish to raise both types of claims, you must file two separate petitions and submit each petition in the location required by Rule 5-802(F)).

☐ seeks to vacate, set aside or correct an illegal sentence or order of confinement (i.e., ineffective assistance of counsel, illegal search and seizure, involuntary confession, interpretation of the sentence by the institution or other matters relating to the trial or sentence the confined person received).

NOTE: If the petition seeks to vacate, set aside or correct the sentence or order of confinement, correct the Corrections Department's interpretation

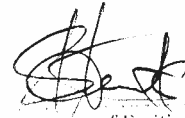
Declaration Under Penalty Of Perjury

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

02-05-2026

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: 02-05-2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any

Declaration Under Penalty Of Perjury

~~_____~~
~~_____~~
~~_____~~

I declare
the
information
for purposes

Date:

Signature of Petitioner

Signature of Attorney or other authorized person, if any

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: My health is not good, I am in this country legally I am in this country for over one year with zero criminal record, I am spouse of the citizen I am a worker not terrorist or criminal.

(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: I have health problems, I am in the country legally, I have been in the country for more than one year with no criminal record, married to citizen, I was already in process before my arrest.

(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: I am in this country legally. I have been in USA for more than one year with zero criminal record. I have health issues, I am married to citizen, I am begging to be allowed to watch World Cup.

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

I have teeth and gums problems. I can't eat solid foods and there is no option B. Sometimes I spent days with no meal. The help I am getting is to remove my teeth. I am begging for release before they finish my teeth.

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

☒ Yes

☐ No

Declaration Under Penalty Of Perjury

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

02-05-2026

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: 02-05-2026


Signature of Petitioner

Signature of Attorney or other authorized person, if any

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: I am in this country legally I have been in united states for more than one year no crime committed

I am a spouse of the citizen I have healthy problems my gums and teeth I can't eat solid foods it makes my life hard as there is no option B I want bagging to be released I am a worker not a terrorist or criminal. 15 yrs experience CDL Long distance driver

11. Appeals of immigration proceedings

Does this case concern immigration proceedings?

☒ Yes☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 10-16-2025
 (b) Date of the removal or reinstatement order: 01-15-2026
 (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes☒ No

Declaration Under Penalty Of Perjury

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

02-05-2026

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: 02-05-2026


Signature of Petitioner

Signature of Attorney or other authorized person, if any

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:
02-05-2026

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: 02-05-2026


Signature of Petitioner

Signature of Attorney or other authorized person, if any

UNITED STATES DISTRICT COURT

for the

Petitioner

v.

Case No. _____
(Supplied by Clerk of Court)

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: THOMSON MAZHESE 
- (b) Other names you have used: _____
2. Place of confinement: _____
- (a) Name of institution: OTERO PROCESSING CENTER
- (b) Address: 26 MCGREGOR RANGE ROAD
CHADARCA NEW MEXICO 88081
- (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)

Declaration Under Penalty Of Perjury

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

02-05-2026

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: 02-05-2026


Signature of Petitioner

Signature of Attorney or other authorized person, if any

(d) A summary of the grounds upon which each appeal was based:

(e) The result of each appeal:

(f) The name and address of the attorney on appeal:

16. If you answered "no" to (14), state the reasons for not appealing:

Financial Status

17. Apart from any appeals listed in (15), have any other post conviction applications, petitions or motions, been filed with regard to this same imprisonment or restraint?

Yes (Go to 18)

No (Go to 19)

18. If you answered "yes" to (15), list with respect to each such petition or motion:

(a) The type of proceeding:

(b) The name and date of each case:

(c) The docket number:

(d) The court, the administrative agency, or institutional grievance committee from which relief was sought:

(e) The result of each proceeding. (attach a copy of each decision)

(f) The issues raised in each proceeding:

(g) State whether a hearing was held in connection with each of these proceedings:

(h) State whether the confined person was represented by an attorney in each proceeding and, if so, the attorney's name and address:

8. State the nature of the court proceeding resulting in the confinement (i.e., criminal prosecution, civil commitment, etc.), including:

(a) case name: THOMSON MAZHESE

(b) docket number: 

(c) name of judge: MARTINEZ

(d) name and location of the court in which the proceeding was held:
OTERO PROCESSING CENTER

9. State the date of the final judgment, order or decree for confinement:
VOLUNTEER DEPARTURE

10. Attach a copy of the judgment, order or decree. If not, describe your sentence.
VOLUNTEER DEPARTURE

11. Was the conviction the result of:

☐ Guilty plea
☒ No Contest plea (*nolo contendere*)
☐ Finding of guilty by judge or jury

12. Was the confined person represented by an attorney during the proceedings resulting in the confinement?

☒ Yes
☐ No

13. If you answered "yes" to (12), list the name and address of each attorney who represented the confined person:

MCLEAN LEGAL GROUP MCLEAN, PAMELA ANNE
1629 K STREET NW SUITE 300 WASHINGTON DC 20006

14. Did you appeal your conviction?

☐ Yes (Go to 15)
☐ No (Go to 16)

15. If you answered "yes" to (14), list:

(a) The name of each court to which an appeal was taken:

(b) The case name and docket number for each appeal:

(c) The date each appeal was filed and decided: (Attach a copy of each opinion or order)

or application of the sentence or order of confinement, or challenge the conviction, it shall be filed in the county of the court in which the matter was adjudicated, or, if the matter has not been adjudicated, it must be filed in the county of the court that ordered the contested confinement. See Rule 5-802(E)(1) NMRA.

challenges confinement or conditions of confinement or matters other than the sentence or order of confinement. (This applies only to matters arising after the confined person arrived at the institution, i.e., county jail confinement, mental hospital confinement, detention facility confinement, good time credit, misconduct report, prison due process violation or parole.)

NOTE: If the petition challenges conditions of confinement or matters other than challenges to the sentence or order of confinement (those set forth in the first option), it shall be filed in the county where the petitioner is confined or restrained. See Rule 5-802(E)(2) NMRA.

3. State concisely the facts upon which the confined person bases the claim:

I am not a criminal or terrorist. married to citizen being in country legally zero criminal record professional worker if given opportunity my experience can add value to the economy

4. State concisely the grounds and law, or other legal authorities on which the confined person bases the claim:

my health is worsening in this facility i am begging to be released under my health and i was already in my process before my arrest

5. Have the grounds being raised in this petition been raised previously in your direct appeal? If so, explain the result. If not, explain why not:

I have creditable fear if ever deported back to my country of origin being charged with [REDACTED]

6. Have the grounds raised in this petition been raised previously in another petition for writ of habeas corpus? If so, explain the result. If not explain why not:

experienced CPL and heavy farm equipment operator if given opportunity my experience can add value to the economy

7. Briefly describe the relief requested:

granted to work consider my creditable fear and allow me to be in this country. immediately release from prison. to be treated as worker not a terrorist. or a criminal i am a worker

Thomson MAZHETESE [REDACTED] Detained at Otero Processing Center

Kidnaped on 10/16/2025 while I was in my way to my biometric appointment with DHS I am nearly 4 months in prison I didn't think the situation can escalate to this point as I was already in my process of my paper work.

I am in this country legally and I have been a member of my community [REDACTED]
[REDACTED] for more than a year with no criminal offence committed.

As a spouse of the citizen with zero criminal record and being in the country legal I thought DHS and immigration judge was too harsh to put me on volunteer departure they found me not guilt in any kind of crime, They didn't consider how dangerous is my life if I ever deported to my country of origin ,My family has been displaced our house has been burnt to ashes again I have nowhere to go

The government of my country [REDACTED]

[REDACTED] in my country they have [REDACTED]

[REDACTED] My lawyer didn't play her role approximately due to my financial status she failed me.

I am praying and pleading to this court & DHS to review my case and look upon my criminal status too and consider me a worker not a terrorist or a criminal .I am a CDL long distance truck and bus driver including heavy farming equipment operator with more than 15 yrs experience if given opportunity my experience can add value to the economy.

I am begging to be released as my health is becoming worse day by day I have teeth & gums problem I can't eat solid foods that makes my life hell in this detention as there is no plan B I spent some days without a meal the only help I get from this facility is to remove my teeth the more I will remain in this detention the more iam loosing my teeth

[REDACTED]
I was hoping they will consider my marriage and stop separating me with my wife

I was hoping they will allow me to watch world cup grant me to work and pay tax iam a worker not a terrorist or a criminal