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COUNSEL/PARTIES OF RECORD
FEB 10 2026
CLERK US DISTRICT COURT
DISTRICT OF NEVADA
BY Ammi

UNITED STATES DISTRICT COURT

for the

Julio C. Valle Vizcarra
Petitioner

v.

John Mattos WARDEN
Respondent
(name of warden or authorized person having custody of petitioner)

C:

2:26-cv-00336-CDS-BNW

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

Personal Information

1. (a) Your full name: Julio Cesar Valle Vizcarra
   (b) Other names you have used:
2. Place of confinement:
   (a) Name of institution: Nevada Southern Detention Center
   (b) Address: 3190 East Mesquite Ave. Pahrump, NV 89060
   (c) Your identification number: [redacted]
3. Are you currently being held on orders by:
   ☒ Federal authorities ☐ State authorities ☐ Other - explain:
   ICE DETENTION
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)*: ICE DETENTION/Prolonged

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)*: Violation of my Constitutional Rights Without Due Process Prolonged Detention

6. Provide more information about the decision or action you are challenging:

(a) Name and location of the agency or court: Immigration Court 110 N. City Parkway Ste 400 Las Vegas N.V. 89106

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

(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*: Prolonged detention with no deportation in Forseeable Future Held in Detention over 12 months

(d) Date of the decision or action: July 2, 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:

N/A

(b) If you answered "No," explain why you did not appeal:

N/A

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:

(2) Date of filing:

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

(4) Result:

(5) Date of result:

(6) Issues raised:

N/A

(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:

N/A

(b) If you answered "No," explain why you did not file a third appeal:

N/A

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:

N/A

(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:

N/A

(c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence:

N/A

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody:

(b) Date of the removal or reinstatement order: July 2 2025

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

☒ Yes ☐ No

If "Yes," provide:
(1) Date of filing: Filing Receipt for Appeal 7/29/2025
(2) Case number: [redacted]
(3) Result: Remanded for Further Proceedings
(4) Date of result: 12/18/2025
(5) Issues raised: Immigration Judge erred in denying deferral of Removal under C.A.T. Specifically By NOT addressing Evidence: I AM A LEGAL Permanant Resident.

(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:

N/A

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: EOIR Form 26 §26A Appeal
(b) Name of the authority, agency, or court: Immigration Court 110 N. City Pkwy Ste 400 Las Vegas NV 89106
(c) Date of filing: Mailed 1/26/2026
(d) Docket number, case number, or opinion number: [redacted]
(e) Result: NO Result yet
(f) Date of result:
(g) Issues raised: I Appealed The Decision of The I.J. Immigration Judge Denying me Bond or Bail AFTER BEING ENCARCERATED, DETAINED for over 12 months When Detention has Become Indefinite & Prolonged Detention without BOND HEARING. VIOLATES my Constitutional Rights To DUE PROCESS § 1226(a) Due Process Law Clause of 5th Amendment Applies to NON citizens wether Their Presense is Lawful, Unlawful, Temporary or Permanant Zadvydas 533 U.S. at 693 Government

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: UNCONSTITUTIONAL Prolonged Detention without Removal in Forseeable FUTURE.

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

The Supreme COURT Has Recognized when Confinement Becomes Prolonged DUE process is Required.

I HAVE Been Detained over 12 months

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

☒ Yes ☐ No

GROUND TWO: My Heath has gotten worse and Been Neglected From Receiving Proper Medical Attention I have Been Requesting Imploring For A Much NEEDed Emergency OPeration For over 8 months without Results

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

I Am Mobility Impaired with Deformity of LEFT ANKLE Handicapp AND N.S.D.C. Took my WALKING CANE mobility Assistance Aulty I Keep Requesting it and im in Pain, NSDC REFUSSES TO Return my Walking Device. I Am Suffering with multiple Health issues PHysical & MENTAL Health

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

☒ Yes ☐ No

GROUND THREE: Deprived of my Freedom From LIFE, Liberty And Property / or DUE Process OF LAW I AM BEING punished AGAIN For the Same charge I Allready served Time For

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

MY PAST History from CDCR AND NSDC MEDICAL Records.

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

☐ Yes ☒ No

GROUND FOUR: MY CONTINUED IMPRISOMENT DEPRIVED Freedom and Liberty PROLONGED DETENTION SICK ENCARCERATED FOR OVER 12 months IN PAIN

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

my Records History The Facts

BOND Hearing Ruling of Judge.

Compleat MEDICAL Records.

(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: I AM A Legal Permanent Resident married To American citizen Wife for 25 yrs We have lived IN The USA For over 50+ yrs I Am 60 yrs old NOT A threat or FLIGHT Risk

Request for Relief

15. State exactly what you want the court to do: Imidiate Release from Detention Release under § 2241 & U.S.C. HABEAS CORPUS writ Release UNDER OWN Recognence O.R. Imediate Bond Hearing Releasing ME APPOINT COUNSEL FEDERAL PUBLIC Defender TO ASSIST ME. HELP!

Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:
2/5/2026

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: 2/5/2026



Signature of Petitioner

N/A PRO SE

Signature of Attorney or other authorized person, if any