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APR 22 2026
CLERK U S DISTRICT COURT
DISTRICT OF ARIZONA
BY DEPUTY

Henry A. Berrios A# [redacted]
Name and Prisoner Number/Alien Registration Number

Eloy Detention Center
Place of Confinement

1705 E. Hanna Road
Mailing Address

Eloy, AZ 85131
City, State, Zip Code

(Failure to notify the Court of your change of address may result in dismissal of this action.)

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA

Henry Alexander Berrios,
(Full Name of Petitioner)

Petitioner,

v.

Eric Bokosky, et. al.,
(Name of Warden, Jailor or authorized person having custody of Petitioner)

Respondent.

CASE NO. CV26-02786-PHX-SHR--JFM
(To be supplied by the Clerk)

PETITION UNDER 28 U.S.C. § 2241
FOR A WRIT OF HABEAS CORPUS
BY A PERSON IN FEDERAL CUSTODY

PETITION

1. What are you challenging in this petition?
   - [x] Immigration detention
   - [ ] Bureau of Prisons sentence calculation or loss of good-time credits
   - [ ] Probation, parole or supervised release
   - [ ] Other (explain): _____

2. (a) Name and location of the agency or court that made the decision you are challenging: Eloy Detention Center 1705 E. Hanna Road, Eloy, AZ. 85131, ICE.

   (b) Case or opinion number: A# [redacted]

   (c) Decision made by the agency or court: alleged mandatory detention

   (d) Date of the decision: In ICE custody since 11/14/2025

3. Did you appeal the decision to a higher agency or court? Yes ☐ No ☑

If yes, answer the following:

(a) First appeal:

(1) Name of the agency or court: _____

(2) Date you filed: _____

(3) Opinion or case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(b) Second appeal: N/A

(1) Name of the agency or court: _____

(2) Date you filed: _____

(3) Opinion or case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(c) Third appeal: N/A

(1) Name of the agency or court: _____

(2) Date you filed: _____

(3) Opinion or case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

4. If you did not appeal the decision to a higher agency or court, explain why you did not: The decision to detain me is discretionary. As such, there are no administrative remedies to exhaust.

5. Other than the appeals listed above, have you filed any other petitions, applications or motions concerning the issues raised in this petition? Yes ☒ No ☒

If yes, answer the following:

(a) Name of the agency or court: ~~Stay~~ Florence Immigration Court

(b) Date you filed: 12/30/2025

(c) Opinion or case number: [redacted]

(d) Result: Denied my Asylum petition

(e) Date of result: Denied March 11, 2026

(f) Issues raised: CAT claim, fear of persecution and death if ~~returned~~ removed to El Salvador.

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

6. **For this petition, state every ground on which you 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.**

CAUTION: To proceed in the federal court, you must ordinarily first exhaust (use up) your available administrative remedies on each ground on which you request action by the federal court.

GROUND ONE: I have been in ICE custody almost six months now. While my petition and removal was only recently decided, I am appealing and that appeal will likely take another 6 months to a year.

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

I first petitioned USCIS in September 2023 by filing an Asylum application. It was not adjudicated until my release from prison and ICE detention. This discretionary matter has ensured my continued incarceration. Immigration court began my asylum review December of last year, over 2 years from the date I originally filed my original petition. The sure likelihood of my detention for a prolonged amount of time is imminent unless this Honorable Court prevents it.
I first entered the USA in 1999 and have strong family ties I can rely on if this Court so chooses to release me.

(b) Did you exhaust all available administrative remedies relating to Ground One? Yes ☒ No ☐

(c) If yes, did you present the issue to:
- ☒ The Board of Immigration Appeals – Appeal pending.
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ Other: _____

(d) If you did not exhaust all available administrative remedies relating to Ground One, explain why:

GROUND TWO: _____

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) Did you exhaust all available administrative remedies relating to Ground Two? Yes ☐ No ☐

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ Other: _____

(d) If you did not exhaust all available administrative remedies relating to Ground Two, explain why:

GROUND THREE: _____

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) Did you exhaust all available administrative remedies relating to Ground Three? Yes ☐ No ☐

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ Other: _____

(d) If you did not exhaust all available administrative remedies relating to Ground Three, explain why:

GROUND FOUR: _____

(a) Supporting FACTS (Do not argue or cite law. Just state the specific facts that support your claim.):

(b) Did you exhaust all available administrative remedies relating to Ground Four? Yes ☐ No ☐

(c) If yes, did you present the issue to:

- ☐ The Board of Immigration Appeals
- ☐ The Office of General Counsel
- ☐ The Parole Commission
- ☐ Other: _____

(d) If you did not exhaust all available administrative remedies relating to Ground Four, explain why:

Please answer these additional questions about this petition:

7. Are you challenging your conviction or sentence in any of the grounds raised above? Yes ☐ No ☒
(Claims challenging a federal conviction or sentence may only be raised in a motion under 28 U.S.C. § 2255, unless the § 2255 motion is legally inadequate or ineffective.)

If yes, answer the following: N/A

(a) Have you filed a motion under 28 U.S.C. § 2255? Yes ☐ No ☐

If yes, answer the following:

(1) Name of court: _____

(2) Case number: _____

(3) Opinion or case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(b) Explain why the remedy under § 2255 is inadequate or ineffective: _____

8. If this case concerns immigration removal proceedings, answer the following:

(a) Date you were taken into immigration custody: 11/14/2025

(b) Date of removal or reinstatement order: March 11, 2026

(c) Did you file an appeal with the Board of Immigration Appeals? Yes ☒ No ☐

(1) Date you filed: March 20, 2026

(2) Case number: [redacted]

(3) Result: pending

(4) Date of result: _____

(5) Issues raised: _____

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

(d) Did you file an appeal with the federal court of appeals? Yes ☐ No ☒

(1) Name of the court: _____

(2) Date you filed: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

Attach, if available, a copy of any brief filed on your behalf and a copy of the decision.

9. Petitioner asks that the Court grant the following relief: Grant him release on OR, bond or with ankle monitor or any other form of relief allowed by the Court and ICE.

or any other relief to which Petitioner may be entitled. (Money damages are not available in habeas corpus cases.)

I declare under penalty of perjury that the foregoing is true and correct and that this Petition for Writ of Habeas Corpus was placed in the prison mailing system on April 20, 2026 (month, day, year).

_____
Signature of Petitioner

_____
Signature of attorney, if any

_____
Date

Henry Alexander Berrios,
Petitioner, No. _____

v. CERTIFICATE OF SERVICE

Eric Bokosky, et. al.,
Respondent.
Warden Eloy Detention Center

I, Henry Berrios, declare under penalty of perjury that on 4-20-2026, I served the following documents:

- Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241
- Request for Appointment of Counsel
- Any accompanying exhibits or declarations

I served these documents by placing them in the United States mail, first-class postage prepaid, addressed to:

United States Attorney's Office – District of Arizona
Civil Division
Two Renaissance Square
40 North Central Avenue, Suite 1800
Phoenix, AZ 85004

AND

Office of Immigration Litigation
Civil Division, U.S. Department of Justice
P.O. Box 878
Ben Franklin Station
Washington, DC 20044

I declare under penalty of perjury that the foregoing is true and correct.

DATED: 4-20-2026

_____
Signature

Name: Henry A. Berrios
A-Number (if applicable): [redacted]