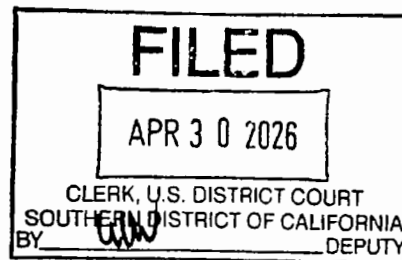


SAYMON TEKESTE ABRAHA
NAME

[REDACTED]
PRISON NUMBER

Imperial Regional Detention Facility
PLACE OF CONFINEMENT

1872 Gateway R.d Calexico CA 92231
ADDRESS



United States District Court
Southern District Of California

SAYMON TEKESTE ABRAHA
(FULL NAME OF PETITIONER)

Petitioner

v.

WARDEN JEREMY CASEY
(NAME OF WARDEN, SUPERINTENDENT, JAILOR, OR AUTHORIZED
PERSON HAVING CUSTODY OF PETITIONER, E.G. PAROLE OFFICER)

Respondent

and

The Attorney General of the State of
California, Additional Respondent.

Civil No. '26CV2781 AGS VET
(TO BE FILLED IN BY CLERK OF U.S. DISTRICT COURT)

PETITION FOR WRIT OF HABEAS CORPUS

UNDER 28 U.S.C. § 2241

1. 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 or case number (if you know): _____

(c) Date of sentencing: _____

☒ Being held on immigration charge

☐ Other (explain): _____

2. Are you currently being held on orders by:

☒ Federal authorities ☐ State authorities ☐ Other - explain:

DHS

3. What are you challenging in this petition:

☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities

☐ Pretrial detention

☒ Immigration detention

☐ Detainer

☐ The validity of your conviction or sentence as imposed

☐ Disciplinary proceedings

☐ Other (specify): _____

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

(a) Name and location of the court or agency: Imperial Court in Imperial 2409
LA Brucherie Road Imperial CA 92251

(b) Case number, docket number or opinion number (if you know): 

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

(d) Date of the decision or action: _____

5. Did you **appeal** the decision, file a grievance or seek an administrative remedy?

☐ Yes ☒ No

(a) If your answer to 5 was "Yes," give the following information:

(1) Name of court, agency or authority: _____

(2) Date of filing: _____

(3) Case number, docket number or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If your answer to 5 was "No," explain why you did not appeal: _____

6. After the first appeal, did you file a **second appeal** to a higher authority, court or agency?

☐ Yes ☒ No

(a) If your answer to 6 was "Yes," give the following information:

(1) Name of court, agency or authority: _____

(2) Date of filing: _____

(3) Case number, docket number or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If your answer to 5 was "No," explain why you did not appeal: _____

7. After the second appeal, did you file a **third appeal** to a higher authority, agency or court?

☐ Yes ☒ No

(a) If your answer to 7 was "Yes," give the following information:

(1) Name of court, agency or authority: _____

(2) Date of filing: _____

(3) Case number, docket number or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If your answer to 7 was "No," explain why you did not appeal: _____

8. State *concisely* every ground on which you claim that you are being held in violation of the constitution, law or treaties of the United States. Summarize *briefly* the facts supporting each ground. If necessary, you may attach pages stating additional grounds and facts supporting same.

CAUTION: In order to proceed in the federal court, you must ordinarily first exhaust your available court remedies as to each ground on which you request action by the federal court. Moreover, if you fail to set forth all grounds in this petition, you may be barred from presenting additional grounds at a later date.

You should raise in this petition *all* available grounds on which you base your allegations that you are being held in custody unlawfully.

GROUND ONE: Zadvydas v. Davis, 533 U.S. 678, 121 S.Ct. 2491, 150 L.Ed. 2d 653

(a) Supporting FACTS (state *briefly* without citing cases or law) _____

Section 241(a) of the Immigration and Nationality Act (IHA) codified at 8 U.S.C. § 1231(a) authorizes the detention of noncitizens who have been ordered removal from the United States. "Johnson v. Arteaga-Martinez, 596 U.S. 573, 575, 142 S.Ct. 1827, 213 L.Ed.2d 121 (2022). Under this Statute, a noncitizen ordered removal must be detained for 90 days pending the government's efforts to secure the noncitizen's removal through negotiations with foreign governments see 8 U.S.C. § 1231(a)(2). Section 1231(a)(6) "authorize further detention if the government fails to remove the noncitizen during those 90 days." Zadvydas, 533 U.S. at 682. The Statute however is limited to a period reasonably necessary to bring about the noncitizen removal from the U.S." and "does not permit indefinite detention. Petitioner contends that any detention is not authorized by Statute & due process because the 90 days removal period has expired & there is no significant likelihood that I will be removed in the reasonably foreseeable future.

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

☐ Yes ☒ No

GROUND TWO: Significant likelihood of Removal

(a) Supporting FACTS (state *briefly* without citing cases or law):

See Tumason v. Doe, 2026 U.S. Dist. LEXIS
33312. "The Court is also not persuaded by Respondents
argument that ICE EAO is working diligently to identify
countries that may be willing to accept Petitioner for
removal" It has been over three months since Petitioner's
removal order became final, and ICE has not
yet identified any country that would accept Petitioner

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

☐ Yes ☒ No

GROUND THREE: Prolonged detention

(a) Supporting FACTS (state briefly without citing cases or law):

Petitioner entered the United States on March 15, 2025
near or around San Diego, California. In August, 2025
Petitioner do interview for Credible fear and get a
a result which is established and Proceeding removal
Courts. Applying for asylum, withholding of removal and
Convention against torture.

I January 13, 2026 Petitioner Individual Hearing
day & the Judge ordered CA withholding of removal.
to my case.

Other Similarly situated, specifically others here at
Imperial detention who have received an adverse decision
and have an appeal pending at the BIA have been
granted bond based on prolonged detention for over
12 months. The 14th Amendment require that similarly
situated individual are to be treated equally. A
just outcome therefore would be to grant me release.

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

☐ Yes ☐ No

GROUND FOUR:

The conditions of Confinement

(a) Supporting FACTS (state briefly without citing cases or law):

The conditions of my Confinement has been
affecting me mentally, emotionally, Psychologically
and Healthwise most times, I am deeply
depressed as I have difficulties Communication
to my family and loved ones.

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

☐ Yes ☐ No

9. If any of the grounds listed in 4A, B, C, and D were not previously presented in any other court, state or federal, state briefly what grounds were not presented, and give your reasons for not presenting them:

10. Do you have any petition or appeal now pending in any court, either state or federal, as to the execution of sentence under attack?

☐ Yes ☒ No

11. Give the name and address, if known, of each attorney who represented you in the following stages of the execution of sentence attacked herein:

(a) In any post-conviction proceeding

N/A

(b) On appeal from any adverse ruling in a post-conviction proceeding

N/A

Wherefore, petitioner prays that the Court grant petitioner relief to which he may be entitled in this proceeding.

N/A

SIGNATURE OF ATTORNEY (IF ANY)

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

4-27-2026

(DATE)



SIGNATURE OF PETITIONER