

Alpha Diallo

NAME

PRISON NUMBER

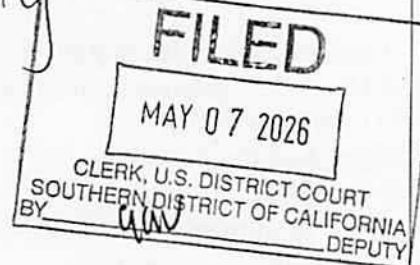
Imperial Regional detention facility

PLACE OF CONFINEMENT

1572 Gateway Road

ADDRESS

Calexico, CA 92231



United States District Court
Southern District Of California

Alpha Diallo

(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. '26CV3001 AGS BJW

(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:

2409 La Brucherie Rd 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:

1/13/2025 (my detention without parole/bond on 1/13/2025)

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: I was told the Judge did not have jurisdiction

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 6 was "No," explain why you did not appeal: I was told the Judge did not have jurisdiction

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: I did not file for a bond hearing because I was told the Judge did not have jurisdiction

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: I have been ~~em~~ detained for over six months. Courts in the Ninth Circuit have recognized the six-month bright line rule

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

I have been currently for over 16 months with no bond hearing. Courts in this Circuit have recognized a six-month "presumptively reasonable period of detention" after which "the alien is eligible for conditional release if he can demonstrate that there is no significant likelihood of removal in the reasonable foreseeable future." Clark v. Martinez, 543 U.S. 371, 378, 125 S.Ct. 716, 160 L.Ed. 2d 734 (2005) (quoting Zadvydas, 533 U.S. at 701)

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

☐ Yes ☒ No

GROUND TWO: The Conditions of Confinement

(a) Supporting FACTS (state briefly without citing cases or law): The condition of my confinement has had a tremendous negative effect on me mentally, emotionally, psychologically and healthwise. Most times, I am deeply depressed as I am not able to communicate with my loved ones. We are restricted to indoors most of the day and the times we do go out for recreation, we are confined behind barbed-wired fences being watched over by security guards. Suffice it to say that my current detention resembles penal custody.

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

☐ Yes ☒ No

GROUND THREE: My detention has become unconstitutionally prolonged and violates the fifth amendment of the constitution.

(a) Supporting FACTS (state briefly without citing cases or law): It is well-settled that the fifth Amendment entitles aliens to due process in deportation proceedings. The due process clause applies to all persons within the United States, including aliens whether their presence here is lawful, unlawful, temporary, or permanent. More than a decade ago in the Zadvydas decision the United States Supreme Court signaled its concerns about the constitutionality of a statutory scheme that ostensibly authorized indefinite detention of non-citizens. Two years later in the Demore decision the court emphasized that for detention under the statute to be reasonable it must be for a brief period of time. Justice Kennedy explained in his concurrence in the Demore decision that an unreasonable delay in pursuing and completing deportation proceedings would necessarily raise an inquiry into whether the detention is not to facilitate deportation, or to protect against risk of flight or dangerousness but to incarcerate for other reasons.

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

☐ Yes ☒ No

GROUND FOUR: There is no significant likelihood
of my release from detention in the
near future

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

After over 16 months and several court proceedings, the Immigration Judge ordered my removal on 12/3/2025. I have filed a notice of appeal and I am waiting a process that will involve the release of a briefing schedule by the BIA. In the event of an adverse decision I intend to seek appellate review by the Ninth Circuit Court of appeals. Put together, I anticipate over 2 years for this entire process to play out which would result in further prolonged detention without a bond hearing. I have never been called or spoken to concerning my release from detention for parole or bond.

(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:

None of the grounds were not presented because
there was no occasion to present 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 NONE

(b) On appeal from any adverse ruling in a post-conviction proceeding NONE

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

I pray that this Court orders my release
or in the alternative grant a bond hearing in
front of the Immigration Judge

SIGNATURE OF ATTORNEY (IF ANY)

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

05/03/2026

(DATE)



SIGNATURE OF PETITIONER