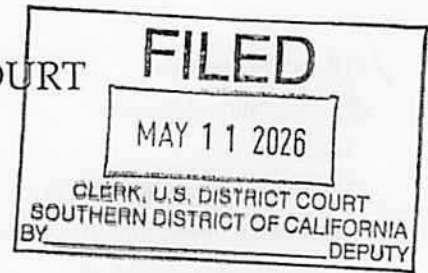


UNITED STATES DISTRICT COURT
for the
Southern District of California



Muhammed Ozbalik
Petitioner
(the name under which you were convicted)
v.
CHRISTOFER J. LAROSE SENIOR WARDEN,
OTAY MESA DETENTION CENTER
Respondent
(authorized person having custody of Petitioner)

Case Number: '26CV2961 JO GC

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

Personal Information

1. (a) Your full name: Muhammed Ozbalik
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: OTAY MESA DETENTION CENTER
(b) Address: 7488 CALZADA DE LA FUENTE
SAN DIEGO, CA, 92154
(c) Your identification number: [REDACTED]
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 _____
(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)

- ☐ 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): _____

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

(a) Name and location of the agency or court: U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT (ICE)

OTAY MESA DETENTION CENTER SAN DIEGO, CA

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

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

Petitioner is challenging his prolonged and excessive detention without an individualized bond hearing. According to Petitioner he is a member of CLASS ACTION NOTICE which has been certified by the United States District Court for the Central District of California in Lazaro Maldonado Bautista et al. v. Ernesto Santacruz Jr. et al., No. 5:25-cv-01873-SSS-BFM (C.D.CAL.2025) Under 8 U.S.C

(d) Date of the decision or action: _____

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: _____

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

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: _____

(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: _____

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

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: _____

(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: _____

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes ☐ No

If "Yes," provide:

- (a) Date you were taken into immigration custody: 10.03.2025
- (b) Date of the removal or reinstatement order: _____
- (c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes ☒ No

If "Yes," provide:

- (1) Date of filing: _____
- (2) Case number: _____
- (3) Result: _____
- (4) Date of result: _____
- (5) Issues raised: _____
-
-
-
-

- (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: _____
-
-
-
-
-
-

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: _____

(b) Name of the authority, agency, or court: _____

(c) Date of filing: _____

(d) Docket number, case number, or opinion number: _____

(e) Result: _____

(f) Date of result: _____

(g) Issues raised: _____

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.

GROUND ONE: Petitioner does not pose a danger to the community and Continued detention is unjustified

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

Petitioner has never attended any combat groups, and he have no history of violence. During almost five months, that he have been detained, he have maintained a clean and disciplinary-free record. He is fully willing to comply with any conditions of release imposed by the Court, including supervision, reporting requirements and electronic monitoring. These alternatives would adequately address any governmental concerns while respecting his liberty interests. Under these circumstances, continued detention is excessive, unnecessary and unsupported by the record, and it violates fundamental principles of liberty and due process guaranteed under the Constitution.

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

☐ Yes ☒ No

(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:

Request for Relief

15. State exactly what you want the court to do: The factual background and humanitarian circumstances supporting this Petition are set forth in his declaration and the attached exhibits. These materials demonstrate that he does not pose a danger to the community, has maintained a clean disciplinary record throughout his detention, and is willing to comply with any conditions of release deem appropriate by the Court, including supervision, reporting requirements or electronic monitoring.

He respectfully request that the Court Grants this Petition and order his immediate release or a bond hearing from immigration detention, or, in the alternative, order his release under the least restrictive conditions necessary.

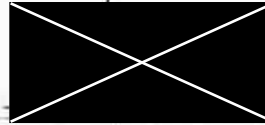
Respectfully submitted,

Declaration Under Penalty Of Perjury

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

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: 05/05/2026

A black rectangular box with a white 'X' drawn across it from corner to corner, used to redact the signature of the petitioner.

Signature of Petitioner

Signature of Attorney or other authorized person, if any

GROUND TWO: Continued detention is punitive, excessive, and No longer serves a legitimate civil immigration purpose.

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

Petitioner assert that his continued detention has become punitive rather than civil in nature. He has been detained for an extended and unreasonable period of time without any individualized determination that continued physical detention is necessary to serve a legitimate immigration purpose. At no point has he caused any unreasonable delay in immigration proceedings. He has complied with all requirements imposed upon him by the government and the Immigration court. During his prolonged detention, he has developed multiple medical conditions and continue to suffer from ongoing significant mental, physical health problems, which has imposed severe hardship beyond what is constitutionally permissible in a civil immigration context.

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

☐ Yes ☒ No

GROUND THREE: Petitioner is not a flight risk and continued detention is unjustified

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

Petitioner asserts that he is not a flight risk for community, and the government lacks any sufficient or individualized justification for his continued and prolonged detention. The justification for civil immigration detention were not present in his case and his detention is likely motivated by improper purposes. He is neither dangerous nor a flight risk, as he has no criminal record and he is diligently pursuing his immigration case. Under the Sponsorship Package and regards to evidences of his financial and residential sponsor, he is providing proof as to a stable address, Agreements which indicate that he could pay his bond and ensure that he returns to court and he will be accessible for any immigration process and he is likely to appear for any future proceeding.

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

☐ Yes ☒ No

GROUND FOUR: _____

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