AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

FILED
MAY 28 2026
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT

for the

Cristobal Esteban Mateo
Petitioner

v.

Warden Otay Mesa Detention Center, Christopher La Rose
Respondent
(name of warden or authorized person having custody of petitioner)

Case No. '26CV3280 RSH BJW
(Supplied by Clerk of Court)

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

Personal Information

1. (a) Your full name: Cristobal Esteban Mateo
   (b) Other names you have used: _____
2. Place of confinement:
   (a) Name of institution: Correction Corp of America
   (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 you: _____
   (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: Otay Mesa Immigration Court 7488 Calzada de la fuente - San Diego - CA. 92154

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

(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*: I am challenging my Prolonged immigration proces

(d) Date of the decision or action: 02/13/26

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 appeal: _____

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: _____

(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. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: I Have been detained Since februry 13,2026 withot any opportunity to obtain bail or any other form of release

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 Do not cite cases or law.)*:

I was admitted to the Otay Mesa Core Civic Cetention Center on febroary 14,2026. on march, 5,2026 I was granted a bail hearing. Despite Presenting all the evidence required by the Court, I was denied bail berause D.H.S. argued that I am a flight risk.

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

☐ Yes ☐ No

GROUND TWO: On febroary. 13,2026. I was driving to work I was arrested by ICE agents.

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 Do not cite cases or law.)*:

on the day of my arrest. I was driving to work when I was intercepted by 11 ICE agent Cars. One of the vehicles Crashed into the back of mine. and one of the officers broke my vehicle's window. Even thogh we obeyed the orders the gave us, they arrested us without us without giving us any explanation.

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

☐ Yes ☐ No

GROUND THREE: my phisical and Psychological health is Severely affected by the Condition in wich I am being held. There are days when I feel dezzy and my stomach hurts.

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

I ask togo to the doctor, but they tell me it's normal due to the stress I experience here. the food is very bad. I have eaten any fresh fruit. or Vegetables. There are days wen the eating utensils are dirty the water we drink is unfiltered tap water. my mental she as been affected by everithing that is happening. she Can't Sleep and is Still Waiting for an appointment with the Psychologist

(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.)*:

(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: "Your Honor, I would like to request to be released from the Otay Mesa Detention Center through Parole, Supervision, or bail, as my bail was denied. If I meet the requirements, I would like to be represented by a public defender for my case. If I get released, Can I be given a legal document that can protect me from getting detained without a Court order. Thank you for your time, Your Honor

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: 05/26/26

[redacted]
Signature of Petitioner

_____
Signature of Attorney or other authorized person, if any

1. I entered the United States of America in march 2004, through the Sonora border. I have been Living in the state of California for 22 years now, I have never been arrested by the Police, and my Criminal record is clean.

2. I Was arrested on february 13, 2026, While driving to Work. my Vehicle was intercepted by 11 private Vehicles belonging to ICE agents. One of them rear-ended my Vehicle even though I had already stopped when Ordered. One of the ICE agents got out of his Vehicle without Saying a Word, Smashed my Window, and told me we were under arrest without explanation. my son, my son-in-law, and I were arrested

3. When We arrived at the ICE offices, they asked us about other people we didn't know and Showed us photos of them, but none of those people lived with me or drove my Vehicle. I Was able to recognize one of the photos because he is my Cousin, but I don't have a close relationship with him.

4. On february 14, 2026 I was admitted to the Otay Mesa Core Civic. I have now been detained for three months Without being granted bail or parole. on march 5, I had a bail hearing. I Submitted all the requested documents, but bail Was denied because D.H.S. argued that I am flight risk. My lawyer presented evidence of how many years I have lived in the United States and of my children, but D.H.S.

did not change its mind. Therefore, the Judge denied bail due to the risk of flight.

5. My Current Concern is the Psychological Well-being of my youngest daughter, as She is Currently a student. My entire household depends on me financially; I Have been the Sole Provider for the 22 years I have lived in the United States.

My daughter: [redacted], American citizen
My Wife: [redacted], in the Process of obtaing residency.

Petitioner: Cristobal Esteban Mateo
A: [redacted]
F. [redacted]