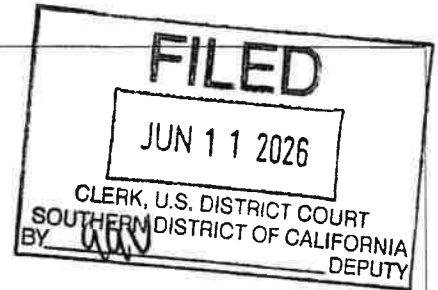


Damion Clarke


PRISON NUMBER

Imperial Regional Detention Facility
PLACE OF CONFINEMENT

1512 Gateway Road Calexico CA 92231
ADDRESS



United States District Court
Southern District Of California

Damion Clarke
(FULL NAME OF PETITIONER)

Petitioner

v.

Warden Sorensen 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. '26CV3511 BAS SBC
(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:

D.H.S.

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: Immigration court in Miami
3900 N.W. Powerline R.D. Pompano Beach FL 33073

(b) Case number, docket number or opinion number (if you know): 6:22-CR-00197-LWWB-DCL-2

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

(d) Date of the decision or action: 11/21/25

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 knew and
Subsequent appeal would have been futile.

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 knew and
Subsequent appeal would have been futile

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 knew any subsequent appeal would have been futile.

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 being detained for over six months. courts in the ninth circuit have recognized the six months bright line rule.

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

I have been currently detained for over 8 months with one bond hearing that was denied. courts in this arcort have recognized a six-months "Presumptively reasonable Period of detention" after where "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 condition of my confinement

(a) Supporting FACTS (state briefly without citing cases or law): The condition of my
confinement has been affecting me mentally, emotionally, Psychologically
and health wise. Most time, I am stressed and deeply depressed that
I have head ache at time. I being having Pain in my back more
since I got here. I sleep on the floor for some night. the water
here is giving me stomach ache and its very expensive to call my
love ones. its really hard to be here for my family to support my
wife, kids an mother and father. I cried all most ever night not
knowing when am going to make it back home to my
family and we are experiencing financial hardship. I feel like a
fail husband an a father that i can't be there for my family.
We are restricted and kept indoor for most of the day, on the
occasions we go out to recreation we are restricted within
bordered wired fences being watched over by security guards.
While in Broward Transitional center, the network was
bad and had been disrupted and for about four days at times it
was difficult to communicate with my family and wife. The food
at times was so bad that i could not eat happily. the security
at times were arrogant, when i needed their attention for my
daily needs.

(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's well settled
that the fifth Amendment entitle aliens to due process in
deportation Proceedings. The due Process clause applies to all person
within the united states, including aliens whether their presence
here is lawful, unlawful, temporary, or Perment. 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, when the court
upheld the constitutionality of 8 U.S.C-§1226(c) in the
Demore decision, it 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 were there to be an unreasonable delay by the
Immigration and naturalization service in pursuing and
completing deportation proceedings, it could become necessary
then to inquire whether the detention is not 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 8 months and several court proceedings the Immigration Judge ordered my removal on 3/29/26. I am currently awaiting a decision, even after an adverse decision I can appeal to the ninth circuit, which could result in further prolonged detention that could stretch for year or more. I have never been called or spoken to concerning my release from detention since I was taken into custody. All told between the BIA and the ninth circuit, I am facing further prolonged detention that could stretch up to 2-3 years.

(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:

There were no grounds

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. *Petitioner Prays that this court grant him release or in the alternative a bond hearing in front of a neutral Immigration Judge.*

SIGNATURE OF ATTORNEY (IF ANY)

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

6/5/26

(DATE)



SIGNATURE OF PETITIONER