

Shokirjon Jurakulov

NAME

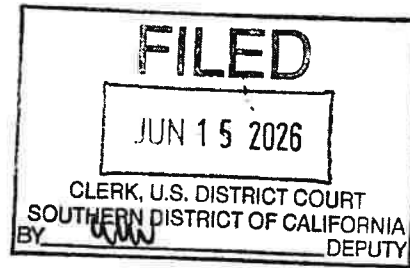
PRISON NUMBER

Otay Mesa Detention Center

PLACE OF CONFINEMENT

7488 Calzada De La Fuente, San Diego, CA 92154

ADDRESS



United States District Court
Southern District Of California

Shokirjon Jurakulov

(FULL NAME OF PETITIONER)

Petitioner

Christopher J. LaRose, Warden of the Otay Mesa Detention Center; Director of the San Diego Field Office of U.S. Immigration and Customs Enforcement; David J. Venturella, Director of U.S. Immigration and Customs Enforcement; Markwayne Mullin, Secretary of the U.S. Department of Homeland Security; Todd Blanche, Attorney General of the United States

(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. **'26CV3563 TWR 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: _____
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: United States Immigration and Customs Enforcement (I.C.E.)
- (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): I.C.E. unlawfully detained me without providing a hearing before an immigration judge in violation of my due process rights under the Fifth Amendment.
- (d) Date of the decision or action: 05/01/2026
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: I.C.E.
- (2) Date of filing: 05/14/2026
- (3) Case number, docket number or opinion number: _____
- (4) Result: No response
- (5) Date of result: _____
- (6) Issues raised: I submitted an urgent request for release on humanitarian parole or bond, arguing that I am not a flight risk because I fully complied with all immigration appointments and requirements up until that point and have a sponsor, and that I should be released based on on humanitarian reasons.

(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 6 was "No," explain why you did not appeal: I have been informed that
immigration courts do not have the jurisdiction to grant bond to individuals who entered the country
without admission or parole based on Board of Immigration Appeals decision (B.I.A.).

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: I should not have been detained without a hearing because I was not "arriving" or "seeking admission" when I was arrested by I.C.E since I am not a recent entrant. My continued detention violates the Immigration and Nationality Act.

(a) Supporting FACTS (state *briefly* without citing cases or law) At the time of my detention, I had been living in the United States for two and a half years. I had fully complied with all my immigration requirements and had not missed any court dates or appointments. I had received work authorization from U.S. Citizenship and Immigration Services and had also been working lawfully and consistently to support myself. I was stopped and arrested by U.S. Citizenship and Immigration Services while I was working.

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

☐ Yes ☒ No

GROUND TWO: My detention is a violation of my constitutional rights, particularly my fifth amendment
due process rights.

(a) Supporting FACTS (state *briefly* without citing cases or law): I have not received a meaningful
individualized determination regarding whether continued detention is necessary. I have no criminal history,
no arrests, a pending asylum application, substantial community ties, and a sponsor willing to provide
support.

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

☐ Yes ☒ No

GROUND THREE: _____

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

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

☐ Yes ☐ No

GROUND FOUR: _____

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

(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:

Neither ground was raised because I requested that I.C.E. release me based on the fact that I am not a flight risk and that I have a sponsor. The grounds I am presenting now would have been futile to raise at that time.

given that I.C.E. maintains that it has the authority to detain me without a hearing.

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 _____

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

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

SIGNATURE OF ATTORNEY (IF ANY)

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

6/4/2026

(DATE)



SIGNATURE OF PETITIONER