

SAYMON TEKESTE ABRAHA

NAME

PRISON NUMBER

Imperial Regional Detention Facility

PLACE OF CONFINEMENT

1572 Gateway R.d Calexico CA 92231

ADDRESS

FILED

JUN 24 2026

CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY 006 DEPUTY

United States District Court
Southern District Of California

SAYMON TEKESTE ABRAHA

(FULL NAME OF PETITIONER)

Petitioner

v.

WARDEN JEREY 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. '26CV3711 JES VET

(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:

By DHS (Department of Homeland Security)

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 Imperial
2409 2a Brucherie Road 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): Locking and absence of timely bond hearing

arbitrary unreasonable an unnecessary detention serving
no public interest; Lack of specific detention ground.

(d) Date of the decision or action: _____

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: _____

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 5 was "No," explain why you did not appeal: _____

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 have being detained for Over six months.

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

I have been Currently detained for almost 15 months.
The approach adopted by the United States Court of
Appeals for the Ninth Circuit is to apply a bright-line
rule to Cases of mandatory detention where the government
Statutory mandatory detention Authority is limited to
a six month period.

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

☒ Yes ☐ No

GROUND TWO: I am entitled to due processes under the Fifth
amendments of the United States 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 proceeding. The due process clause applies to
the all persons within the United States, including aliens,
Whether their presence here is lawful, Unlawful, tempo
rary or permanent. More than a decade ago in the Zadvy
das decision, the United States Supreme Court Signalled its
Concerns about the Constitutionality of the Statutory
Scheme that ostensibly Authorized indefinite detention
of non-citizens. Two years later, When the Court upheld
the Constitutionality of 8.U.C.5 § 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 proceeding it could
become necessary then to inquire whether the detention
is not facilitate deportation or to incarcerate but for
other reasons

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

☒ Yes ☐ No

GROUND THREE: There is no significant ~~likelihood~~ of my removal in the foreseeable future due to the fact that my case has been reopened.

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

I currently have good news. My case was reopened because I filed a motion to reopened my case with the Immigration Court. So I have a very good opportunity to win my case. The problem this poses however is that I am currently detained, and given that I won't be removed in the foreseeable future my detention therefore will be further prolonged given that my case is starting from the start again. So even though I have a removal order entered on Jan 13 2026, I have been detained now five months since the date of the removal order with potentially years of litigation of my case in addition to the 10 months of detention prior to the removal order, the date I crossed the border and was arrested was 3/15/2025. The event there is an adverse decision, I intend to appeal to the BIA and subsequently to the Ninth Circuit.

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

☐ Yes ☒ No

GROUND FOUR: The Conditions of Confinement

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

The conditions my Confinement has been affecting me mentally, emotionally, Psychologically and healthwise most times, I am deeply depressed as I have difficulties Communication to my family & loved ones. I have serious health problems like issues with using the rest room. Most times I am indoors within confined spaces with bad ventilation. when I do go out for recreation, we are restricted to a real circled with barbed wire fences & are being watched by officer. suffice it to say that my detention is similar to penal confinement. I have been transferred 12 times from one detention facility to another. Just recently I was beaten up by ICE officers who tried to unlawfully deport me. The ICE officers tied me up with stick and ropes. I was tied up the entire flight. your honour, this has affected me emotionally.

(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 presented in State or Federal court.

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.

I pray that this Court grant my request for release on, in the alternative grant me 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

6-17-2026

(DATE)



SIGNATURE OF PETITIONER