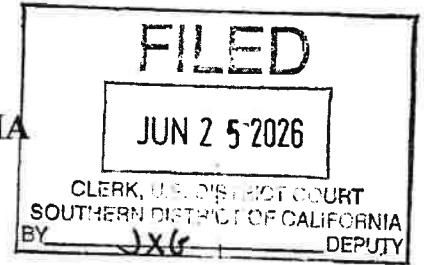


UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA



WILFREDO JESUS BASTIDAS MEJIAS
Petitioner,

v.

WARDEN, OTAY MESA DETENTION
CENTER, *in his official capacity;*

FIELD OFFICE DIRECTOR, U.S. ICE, SAN
DIEGO, *in his official capacity;*

MARKWAYNE MULLIN, *Secretary of the*
U.S. Department of Homeland Security, in his
official capacity; and TODD BLANCHE,
Acting Attorney General of the United States, in
his official capacity,

Respondents.

Case No. '26CV3715 DMS DEB

PETITION FOR WRIT OF HABEAS CORPUS PURSUANT
TO 28 U.S.C. § 2241

Wilfredo Jesus Bastidas Mejias
Otay Mesa Detention Center
7488 Calzada De La Fuente
San Diego, CA 92154
Pro Se Petitioner

June 18, 2026

INTRODUCTION

Petitioner Wilfredo Jesus Bastidas Mejias respectfully petitions this Court for a writ of habeas corpus under 28 U.S.C. § 2241 because he remains detained by U.S. Immigration and Customs Enforcement without a meaningful opportunity to challenge his continued detention before a neutral decisionmaker.

Petitioner was first arrested by local law enforcement on or about January 3, 2026. According to Petitioner, the encounter occurred after he was stopped while returning home. Petitioner has consistently maintained that he was not under the influence of alcohol, did not possess weapons, and did not knowingly possess any illegal substance. He further states that the officer spoke to him in English, that he did not understand what was being said, and that the interaction quickly became confusing and intimidating.

On or about January 20, 2026, Petitioner appeared in criminal court. According to Petitioner, during that proceeding, his criminal defense attorney requested that the court appoint an investigator because there were serious concerns regarding evidence attributed to him. After that court appearance, Petitioner was transferred into immigration custody.

Following his transfer to ICE custody, Petitioner was first held at an immigration detention facility in Utah. He was later transferred to a detention facility in Arizona, where he remained for approximately five days or more. Petitioner reports that conditions during that transfer and detention were extremely difficult, including overcrowding, lack of adequate hygiene, and psychological distress. He further reports that, after those transfers, he developed physical health issues, including throat and body infections.

On or about February 11, 2026, Petitioner arrived at the facility where he is currently detained. Since then, he has remained in immigration custody. His detention has continued for months, despite his ties to the community, his family support, and his ability to comply with any conditions of release that ICE or this Court may impose.

Petitioner does not ask this Court to decide the merits of his immigration case. He asks only for the basic protection guaranteed by the Constitution: a meaningful bond hearing before a neutral immigration judge, or release under reasonable conditions if the Government cannot justify his continued detention.

The Due Process Clause does not allow the Government to detain a person indefinitely, or for a prolonged period, without an individualized determination that detention remains

necessary. Petitioner's continued detention has become unreasonable, punitive, and disconnected from any legitimate immigration purpose. For these reasons, this Court should grant the petition, order Respondents to provide Petitioner with a constitutionally adequate bond hearing, and grant any further relief the Court deems just and proper.

FACTUAL BACKGROUND

Petitioner Wilfredo Jesus Bastidas Mejias is a noncitizen currently detained by ICE. He has family support in the United States, including his mother, who is prepared to receive mail and assist him with complying with all immigration obligations if he is released.

On or about January 3, 2026, Petitioner was stopped by a local police officer while returning home. Petitioner states that the officer asked whether he had been drinking, whether he had weapons in the vehicle, and whether he had any drugs. Petitioner answered no. Petitioner also states that the officer spoke to him in English, that he did not understand English well enough to understand the officer's instructions, and that the officer yelled at him during the encounter.

Petitioner further states that he was asked to perform a sobriety-related test and was then taken into local custody. Petitioner has consistently maintained that he did not knowingly possess drugs or illegal substances and that any evidence later attributed to him was not his. On or about January 20, 2026, Petitioner appeared in criminal court. During that proceeding, Petitioner's criminal defense attorney requested an investigator because of concerns regarding evidence in the case. After that court appearance, Petitioner was transferred to immigration authorities.

After being placed in ICE custody, Petitioner was held first at an immigration detention facility in Utah. He was later transferred to a detention facility in Arizona. Petitioner does not know the exact date of that transfer, but he recalls remaining in Arizona for approximately five days or more. He describes that period as extremely difficult. He reports overcrowded conditions, inadequate hygiene, and severe emotional distress.

Petitioner also reports that while detained during these transfers, he was housed with approximately seventy-nine people in a space that he understood to have capacity for approximately thirty people. He states that he was unable to maintain proper hygiene and that he later suffered from infections affecting his throat and body.

On or about February 11, 2026, Petitioner arrived at his current detention facility. He has remained detained since that time. His detention has separated him from his family and has caused significant emotional and physical hardship.

Petitioner is not seeking to avoid his immigration proceedings. He is willing to appear for all hearings, comply with any reporting requirements, live with or remain in close contact with his family, provide updated addresses, and follow any condition imposed by ICE or the immigration court.

Despite these circumstances, Petitioner has not received a meaningful bond hearing at which the Government is required to justify his continued detention by clear and convincing evidence. His continued detention has therefore become constitutionally unreasonable.

LEGAL STANDARD

Federal courts have jurisdiction under 28 U.S.C. § 2241 to review the legality of immigration detention. Habeas corpus is the proper vehicle when a detained person challenges the fact, duration, or constitutional basis of custody.

The Fifth Amendment protects all persons within the United States from deprivation of liberty without due process of law. Immigration detention may serve a civil purpose, but it cannot become prolonged, automatic, or punitive. As detention continues, due process requires greater justification from the Government.

A detained noncitizen is entitled to a meaningful opportunity to challenge continued detention before a neutral decisionmaker. At such a hearing, the Government should bear the burden of proving that continued detention is necessary because the person presents a danger to the community or a flight risk. Without that individualized showing, prolonged detention violates due process.

ARGUMENT

Petitioner's continued detention is no longer reasonable. He has been in immigration custody since on or about January 20, 2026, and at his current facility since on or about February 11, 2026. During this time, he has been transferred between facilities, separated from his family, and held under conditions that have caused physical and emotional harm.

The Government may not continue to detain Petitioner merely because his immigration case remains pending. Civil immigration detention must be tied to a legitimate purpose. When detention becomes prolonged and the Government does not provide a meaningful hearing, the detention becomes constitutionally defective.

Petitioner has not been given a fair bond hearing where ICE is required to prove, by clear and convincing evidence, that continued detention is necessary. That failure is especially serious here because Petitioner has family support, a place to receive mail, and the willingness to comply with all conditions of release.

Petitioner's criminal case allegations do not automatically justify prolonged immigration detention. Petitioner disputes the evidence attributed to him and has consistently maintained that the alleged substance was not his. His criminal defense attorney requested an investigator because of concerns regarding the evidence. These facts should be evaluated carefully by a neutral decisionmaker and should not be used as a substitute for an individualized bond determination.

Petitioner is not asking this Court to erase his immigration case or interfere with the immigration court's authority. He asks only that the Government be required to justify his continued detention in a constitutionally adequate proceeding. If the Government cannot meet that burden, Petitioner should be released under reasonable conditions.

CONDITIONS OF DETENTION AND HARDSHIP

Petitioner's detention has been especially harsh. After being transferred to ICE custody, he was moved from Utah to Arizona and later to his current facility. During those transfers, he reports overcrowding, lack of adequate hygiene, emotional distress, and subsequent health problems.

Petitioner states that in Arizona he was held with approximately seventy-nine people in a space with capacity for approximately thirty people. He further reports that he was unable to bathe properly and that he later suffered infections affecting his throat and body. These conditions have caused serious physical and psychological hardship.

The hardship of detention is not limited to Petitioner. His family, including his mother, has suffered emotionally from his continued custody and is prepared to assist him if released. His mother can receive correspondence, help him remain in contact with the Court and ICE,

and support his compliance with any condition of release.

These circumstances further support the need for prompt judicial intervention.

REQUEST FOR RELIEF

For the foregoing reasons, Petitioner respectfully asks this Court to:

Assume jurisdiction over this habeas petition;

Declare that Petitioner's continued detention without a constitutionally adequate bond hearing violates the Due Process Clause of the Fifth Amendment;

Order Respondents to provide Petitioner with a prompt individualized bond hearing before a neutral immigration judge;

Require the Government, at that bond hearing, to bear the burden of proving by clear and convincing evidence that Petitioner's continued detention is necessary;

Order Petitioner's release under reasonable conditions if the Government cannot meet that burden; and

Grant any other relief this Court deems just and proper.

CONCLUSION

Petitioner has remained in immigration detention for a prolonged period without a meaningful opportunity to challenge his continued custody. He has family support, a place to receive mail, and a willingness to comply with all conditions of release. His continued detention has caused serious hardship and has become unreasonable under the Due Process Clause.

Petitioner respectfully requests that this Court grant the writ of habeas corpus and order a constitutionally adequate bond hearing or release under reasonable conditions.

CERTIFICATE OF SERVICE

I hereby certify that on this 19th day of June, 2026, a true and correct copy of the foregoing PETITION FOR WRIT OF HABEAS CORPUS, together with all supporting exhibits and attachments, was served via U.S. Certified Mail, Return Receipt Requested, upon the following:

1. **U.S. Attorney's Office for the Southern District of California**
Attn: Civil Process Clerk
880 Front Street, Room 6293
San Diego, CA 92101
2. **Warden**
Otay Mesa Detention Center
7488 Calzada de la Fuente
San Diego, CA 92154
3. **Field Office Director**
U.S. Immigration and Customs Enforcement (ICE)
880 Front Street, #2242
San Diego, CA 92101
4. **U.S. Department of Homeland Security**
Office of the General Counsel
2707 Martin Luther King Jr. Ave. SE
Washington, DC 20528

I declare under penalty of perjury that the foregoing is true and correct.
Date: June 19, 2026

Wilfredo Bastidas

Wilfredo Jesus Bastidas Mejias
Petitioner, Pro Se



