FILED
JUL 10 2026
CLERK U.S. DISTRICT COURT
EASTERN DISTRICT OF CALIFORNIA
BY DEPUTY CLERK

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

UNITED STATES DISTRICT COURT

for the
Eastern District of California

Guillermo Eusebio Pelaez Bello

Petitioner

v.

Warden, California City Immigration Processing Center
U.S Department of Homeland Security
U.S Immigration and Customs Enforcement

Respondent
(name of warden or authorized person having custody of petitioner)

Case No. 1:26-cv-05310-TLN-AC(HC)
(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: Guillermo Eusebio Pelaez Bello
   (b) Other names you have used:
2. Place of confinement:
   (a) Name of institution: California City Immigration Processing Center
   (b) Address: 22844 VIRGINIA BOULEVARD
   CALIFORNIA CITY, CA 93505
   (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:

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

(c) Decision or action you are challenging *(for disciplinary proceedings, specify the penalties imposed)*:

Refusal to release me from immigration detention

(d) Date of the decision or action: 11/08/2025

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: 11/08/2025

(b) Date of the removal or reinstatement order: 09/18/2002

(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: Continued detention beyond six months violates Zadvydas v. Davis.

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 Do not cite cases or law.)*:

Petitioner has remained in ICE custody for more than 180 days after the commencement of the removal period. Removal is not significantly likely to occur in the reasonably foreseeable future. Continued detention therefore violates the Fifth Amendment and the principles established in Zadvydas v. Davis, 533 U.S. 678 (2001)

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

☐ Yes ☑ No

GROUND TWO: No significant likelihood of removal in the reasonably foreseeable future.

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 Do not cite cases or law.)*:

Despite Petitioner's prolonged detention, Respondents have not secured travel documents or demonstrated a realistic prospect of removal. Cuba's acceptance of repatriations remains limited and uncertain, and Respondents have not established that Petitioner's removal is reasonably foreseeable.

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

☐ Yes ☑ No

GROUND THREE: Prolonged detention without meaningful review violates due process.

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

Petitioner has remained confined for more than six months without a meaningful individualized determination demonstrating that continued detention remains necessary. Indefinite civil detention without adequate procedural safeguards violates the Due Process Clause of the Fifth Amendment.

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

☐ Yes ☑ No

GROUND FOUR: Continued detention is no longer reasonably related to its statutory purpose.

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

The purpose of post removal order detention is to effectuate removal. When removal is not reasonably foreseeable, continued detention ceases to serve that purpose and becomes punitive rather than regulatory. Because removal has not been effectuated despite prolonged detention, Petitioner's continued confinement exceeds the authority granted under 8 U.S.C. § 1231(a)(6).

(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: Petitioner respectfully requests that this Court:

(1) Grant the Petition for Writ of Habeas Corpus;

(2) Order Respondents to immediately release Petitioner under appropriate conditions of supervision; and

(3) Grant such other and further relief as the Court deems just and proper.

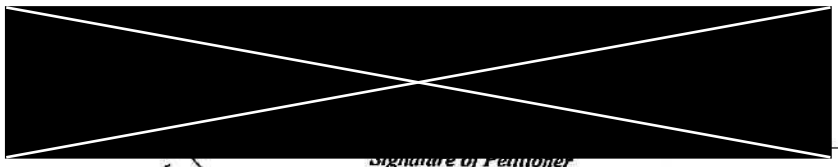
Declaration Under Penalty Of Perjury

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: 8-5-26



Signature of Petitioner

_____

Signature of Attorney or other authorized person, if any