EULOGIO RAMIREZ JARQUIN

Petitioner's Name [First, Middle, Last]

A [redacted]

A-Number

Otay Mesa Detention Center

Place of Confinement

7488 Calzada De La Fuente

Facility Address

San Diego, CA 92154

City, State, Zip Code

FILED
AUG 0 3 2026
CLERK, U.S. DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA
BY DEPUTY

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF CALIFORNIA

FULL NAME [First, Middle, Last]

EULOGIO RAMIREZ JARQUIN

Petitioner(s),

v.

NAME OF WARDEN

WARDEN of Otay Mesa Detention Center.,

et al

Respondent(s).

CASE NUMBER:

'26CV4434 DMS MMP

(Leave blank – supplied by Clerk of Court)

PETITION FOR WRIT OF HABEAS CORPUS BY A PERSON IN IMMIGRATION CUSTODY (28 U.S.C. § 2241)

1. (a) Your full name: EULOGIO RAMIREZ JARQUIN

   (b) Name used by immigration court if different than above: n/a

2. A-Number: [redacted]

3. Place of Detention: Otay Mesa Detention Center

CURRENT DETENTION AND IMMIGRATION PROCEEDINGS

4. Date you were taken into present immigration custody or other official restraint:

   07/05/2026

5. Describe how and where you were taken into immigration custody:

   I was on my way to work when I was stopped solely for the purpose of checking my legal status. I was arrested by ICE despite having a valid driver's license and a valid employment authorization document.

6. What country or countries does the Government allege you are a citizen of?

   Mexico

7. Do you have an order of removal?

   ☐ Yes ☑ No

8. If yes, on what date was the removal order issued? _____

9. Which countries does the removal order designate for removal? n/a

10. Is the Government trying to remove you to a country or countries other than the countries designated in an order of removal?

    ☐ Yes ☑ No

11. If so, what country or countries? n/a

12. If you have an order of removal, describe the type of order:

    ☐ Removal order issued by an Immigration Judge (IJ)

    ☐ Expedited removal order

☐ Reinstated removal order

☐ Other: n/a

13. If an IJ issued the order of removal, did you waive an appeal to the Board of Immigration Appeals (BIA)?

☐ Yes ☐ No

14. If you appealed to the BIA, has the BIA dismissed your appeal?

☐ Yes ☐ No

15. If yes, on what date did the BIA dismiss your appeal?_____

16. If the BIA dismissed your appeal, did you file a petition for review with the Ninth Circuit Court of Appeals?

☐ Yes ☐ No

17. If your case is pending at the Ninth Circuit, do you have a stay of removal?

☐ Yes ☐ No

18. Do you have a pending immigration case in which you are contesting the Government's removal charges or seeking relief from removal?

☑ Yes ☐ No

19. If yes, where is your case currently pending?

☑ Immigration Court

☐ BIA

☐ Ninth Circuit Court of Appeals. Provide Case Number: n/a

☐ Other n/a

20. Has an IJ granted any applications for relief from removal?

☐ Yes ☑ No

21. If yes, on what date did the IJ grant the relief? _____

22. What type of relief from removal?

n/a

23. Have you had a bond hearing in immigration court since your most recent detention?

☐ Yes ☑ No

24. If you answered "yes" to Question 23, then provide:

(a) Date of bond hearing: _____

(b) The IJ found that:

☐ I am not eligible for a bond hearing.

☐ I cannot be released because I am a danger or flight risk.

☐ I should be released on the following conditions:
n/a

☐ Other: n/a _____

25. If you were denied release at a bond hearing, did you appeal to the BIA?

☐ Yes ☐ No

26. If you answered "yes" to Question 25, then provide:

(a) Date of Appeal to BIA: _____

(b) Outcome of Appeal

☐ Affirmed IJ bond decision

☐ Reversed IJ bond decision

☐ I am waiting for BIA bond decision

☐ Other: _____

27. If you answered "no" to Question 25, state if you plan to appeal to the BIA or, if not, explain why you do not plan to appeal to the BIA:

PREVIOUS DETENTION

28. Prior to your current detention, have you ever been detained and later released from immigration custody?

☐ Yes ☑ No

29. If you answered "yes" to Question 28, please describe all the periods in which you have previously been in immigration custody.

n/a

30. Were you subject to any conditions upon your previous release(s)?

☐ Yes ☐ No

31. If you answered "yes" to Question 30, please describe any conditions of your previous release(s):

☐ Order of Supervision

☐ Order of Release on Recognizance

☐ Parole

☐ Other: n/a

GROUNDS FOR YOUR PETITION

32. State every ground (reason) that supports your claim that you are being held or restrained unlawfully. State the facts supporting each ground. You may attach additional pages if necessary to provide legal arguments and supporting authority. You may also attach any documents relevant to your claims.

GROUND ONE:

Violation of the INA

Supporting facts:

I incorporate the prior allegations and contend that my detention cannot be justified under 8 U.S.C. § 1225(b)(2)(A) because that provision applies to certain applicants for admission detained pending removal proceedings, not to someone like me who was living in the United States and arrested in the interior. Based on my circumstances, I was properly placed in standard removal proceedings under 8 U.S.C. § 1229a and should be treated under 8 U.S.C. § 1226(a), not as categorically detained under 8 U.S.C. § 1225(b)(2).

GROUND TWO:

Violation of the Bond Regulations and Federal Regulations

Supporting facts:

I re-allege the prior allegations and contend that I am entitled to bond consideration under 8 U.S.C. § 1226(a) and the governing regulations because I was present in the United States without admission or parole. Respondents' refusal to provide any individualized custody hearing conflicts with the agency's regulations and Ninth Circuit authority, and unlawfully treats discretionary detention as mandatory detention without statutory authorization.

GROUND THREE:

Violation of Fifth Amendment Right to Due Process

Supporting facts:

I re-allege the prior allegations and contend that the Fifth Amendment prohibits my prolonged civil detention without constitutionally adequate process. Although Jennings v. Rodriguez, 138 S. Ct. 830 (2018) rejected a statutory reading that would have created periodic bond hearings, it did not decide whether prolonged detention without any hearing violates due process. Under the flexible due process framework, my strong liberty interest, the risk of erroneous detention without an individualized hearing, and the minimal burden of providing one all support relief; therefore, Respondents' continued detention of me without a bond hearing violates due process.

REQUEST FOR RELIEF

33. State exactly what you want the court to do:

(1) Assume jurisdiction over this matter;
(2) Order that Petitioner shall not be transferred outside the Eastern District of California while this habeas petition is pending;
(3) Issue an Order to Show Cause ordering Respondents to show cause why this Petition should not be granted within three days;
(4) Issue a Writ of Habeas Corpus requiring that Respondents release Petitioner immediately given his unlawful deportation and re-detention or, in the alternative, provide Petitioner with a bond hearing pursuant to 8 U.S.C. § 1226(a) within seven days;

34. Have you filed a previous petition for writ of habeas corpus under 28 U.S.C. § 2241 in this Court?

☐ Yes ☑ No

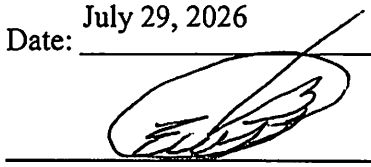
If yes, then provide case number:

DECLARATION UNDER PENALTY OF PERJURY

If you are in custody, on what date did you place this petition in the mail system: July 29, 2026

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: July 29, 2026



Signature of Petitioner

Signature of Attorney or other authorized person, if any