

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Carlos Alberto Izquierdo-Matos v. Kristi Noem

Izquierdo-Matos v. Noem · No. 25-cv-2979-BJC-BLM · Decided November 6, 2025

SUMMARY

The United States District Court for the Southern District of California grants Carlos Alberto Izquierdo-Matos’s motion for appointment of counsel in a 28 U.S.C. § 2241 habeas proceeding. The court appoints the Federal Defenders of San Diego, Inc. under 18 U.S.C. § 3006A(a)(2), finding that appointment is warranted based on the circumstances presented.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Benjamin J. Cheeks
JURISDICTION	United States District Court for the Southern District of California
DECIDED	November 6, 2025
DOCKET	25-cv-2979-BJC-BLM
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner, a federal habeas petitioner proceeding under 28 U.S.C. § 2241, moved for appointment of counsel under 18 U.S.C. § 3006A(a)(2)(B).
STANDARD OF REVIEW	Under 18 U.S.C. § 3006A(a)(2)(B), appointment of counsel for an indigent § 2241 habeas petitioner is discretionary when the interests of justice require it. The court considers the petitioner's likelihood of success on the merits and the petitioner's ability to present the claims effectively without counsel in light of the complexity of the legal issues.
PRECEDENTIAL VALUE	Unknown

PARTIES

Carlos Alberto Izquierdo-Matos v. Kristi Noem, Secretary of the Department of Homeland Security, Pamela Jo Bondi, Attorney General, Todd M. Lyons, Acting Director, Immigration and Customs Enforcement, Jesus Rocha, Acting Field Office Director, San Diego Field Office, Christopher LaRose, Warden at Otay Mesa Detention Center

TOPICS

immigration detention

federal habeas corpus

immigration

PRACTICE AREAS

immigration

federal habeas corpus

appointment of counsel

QUESTIONS PRESENTED

1. Whether the interests of justice required appointment of counsel for an indigent habeas petitioner proceeding under 28 U.S.C. § 2241.
2. Whether the petitioner's likelihood of success on the merits and ability to present his claims pro se justified appointment of counsel under 18 U.S.C. § 3006A(a)(2)(B).

HOLDINGS

1. A district court may appoint counsel for an indigent habeas petitioner pursuing relief under 28 U.S.C. § 2241 when the interests of justice require it, considering the petitioner's likelihood of success on the merits and ability to present the claims effectively without counsel given the complexity of the legal issues.

KEY QUOTATIONS

“Under this statute, a district court may appoint counsel for an indigent habeas petitioner pursuing relief under 28 U.S.C. § 2241 if the court determines that the interests of justice require it.” (at 1)

FACTUAL BACKGROUND

Carlos Izquierdo-Matos sought habeas relief under 28 U.S.C. § 2241 and stated that he lacked the financial means to retain private counsel. Federal Defenders of San Diego, Inc. had participated in drafting the motion and supporting declaration, and the court found a sufficient likelihood of success on the merits and that appointment of counsel was warranted.

PROCEDURAL HISTORY

The district court considered Petitioner Carlos Izquierdo-Matos's motion for appointment of the Federal Defenders of San Diego, Inc. The court granted the motion and appointed Federal Defenders of San Diego, Inc. to represent Petitioner.

DISPOSITION

other

CASES CITED

- Rand v. Rowland, 113 F.3d 1520 (9th Cir. 1997)

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 SOUTHERN DISTRICT OF
CALIFORNIA 10 11 CARLOS ALBERTO IZQUIERDO- Case No.: 25-cv-2979-BJC-BLM
MATOS, 12 ORDER GRANTING MOTION FOR Petitioner, APPOINTMENT OF COUNSEL 13
v. 14 KRISTI NOEM, Secretary of the [ECF No. 2] 15 Department of Homeland Security, 16
PAMELA JO BONDI, Attorney General, TODD M. LYONS, Acting Director, 17 Immigration and
Customs Enforcement, 18 JESUS ROCHA, Acting Field Office Director, San Diego Field Office,
19 CHRISTOPHER LAROSE, Warden at 20 Otay Mesa Detention Center, 21 Respondents.

22 23 Before the Court is Petitioner Carlos Izquierdo-Matos' Motion for Appointment of 24
Counsel, seeking the Court's appointment of the Federal Defenders of San Diego, Inc. 25 pursuant
to 18 U.S.C. § 3006A(a)(2). ECF No. 2.

Under this statute, a district court may 26 appoint counsel for an indigent habeas petitioner
pursuing relief under 28 U.S.C. § 2241 if 27 the court determines that the interests of justice
require it. 18 U.S.C. § 3006A(a)(2)(B).

In 28 1 making this decision, the court must consider both the petitioner's likelihood of success on
2 merits and their ability to effectively present their claims pro se, given the complexity 3 || of the
legal issues involved. See Rand v. Rowland, 113 F.3d 1520 (9th Cir. 1997) (citations 4 || omitted).
5 Federal Defenders of San Diego, Inc. is prepared to assist Petitioner, as evidenced 6 ||by their
involvement in drafting the present motion and the supporting declaration of 7 ||Zandra Lopez, an
appellate attorney with Federal Defenders.

ECF No. 2 at 13. 8 || Additionally, Petitioner states that he lacks the financial means to retain
private counsel 9 has shown a sufficient likelihood of success on the merits. /d. After careful 10
||consideration of the arguments presented, the Court finds that appointing counsel is 11 ||
warranted in this case.

Accordingly, Petitioner's motion for appointment of counsel is 12 ||} GRANTED, and Federal
Defenders of San Diego, Inc. is APPOINTED to represent her. 13 ||} IS SO ORDERED. 14 ||
Dated: November 6, 2025 15 17 18 Honorable Benjamin J. Cheeks United States District Judge 19
20 21 22 23 24 25 26 27 28 25-cv-02740-BJC-BJW

