

**UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA**

Rajat Rajat v. Tonya Andrews

Rajat · No. 1:26-cv-0193 DAD CKD P · Decided January 15, 2026

SUMMARY

The United States District Court for the Eastern District of California preliminarily reviewed a pro se immigration detainee's petition for a writ of habeas corpus under 28 U.S.C. § 2241. The court directed the Clerk to provide an in forma pauperis form and allowed the petitioner 21 days to submit an affidavit supporting an optional request to proceed in forma pauperis and potential appointment of counsel.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 FOR THE EASTERN DISTRICT OF
CALIFORNIA 10 11 RAJAT RAJAT, No. 1:26-cv-0193 DAD CKD P 12 Petitioner, 13 v. ORDER
14 TONYA ANDREWS, 15 Respondent. 16 17 Petitioner, an Immigration and Customs
Enforcement detainee currently representing 18 himself, filed a petition for a writ of habeas
corpus pursuant to 28 U.S.C. § 2241.

Petitioner paid 19 the filing fee. 20 The court has conducted a preliminary review of the petition
pursuant to Rule 4 of the 21 Rules Governing Habeas Corpus Cases Under Section 22541 and
notes it states petitioner lacks 22 access to counsel.

The court would consider appointing counsel if petitioner is indigent. See 18 23 U.S.C. §
3006A(a)(2)(B); Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983). Accordingly, 24 petitioner
will be provided the opportunity to submit the appropriate affidavit in support of any 25 optional
request to proceed in forma pauperis to demonstrate indigency. 26 27 1 Rule 1(b) of the Rules
Governing Habeas Corpus Cases Under Section 2254 allows a district court to apply any or all of
the rules to other types of habeas corpus petitions including § 2241 28 petitions.

1 In accordance with the above, IT IS ORDERED that: 2 1. The Clerk of the Court is directed to
send petitioner a copy of the in forma pauperis 3 form used by this district. 4 2. Petitioner may
optionally submit an affidavit in support of a request to proceed in 5 forma pauperis within 21
days. 6 | Dated: January 15, 2026; aie } Kt | / p, {a ie 8 UNITED STATES MAGISTRATE
JUDGE 9 10 || 8xaja0193.101a.imm 1] 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28