

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Mario Enrique Barroz Celis v. Pamela Bondi, et al.

Barroz Celis v. Bondi · No. 2:26-cv-00079-GMN-DJA · Decided January 16, 2026

SUMMARY

The United States District Court for the District of Nevada grants Mario Enrique Barroz Celis leave to proceed in forma pauperis on his 28 U.S.C. § 2241 habeas petition challenging immigration detention. The court appoints the Federal Public Defender, orders service on the respondents, and establishes deadlines for appearances, amended pleadings, responses, and replies. The court also directs that the petitioner not be transferred out of the district except to effectuate lawful deportation.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Gloria M. Navarro
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 16, 2026
DOCKET	2:26-cv-00079-GMN-DJA
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging his immigration detention and an application to proceed in forma pauperis. On preliminary review, the court granted in forma pauperis status, ordered service, appointed the Federal Public Defender, established response deadlines, and restricted transfer of petitioner out of the district.
STANDARD OF REVIEW	Preliminary review of a petition for a writ of habeas corpus under 28 U.S.C. § 2241.
PRECEDENTIAL VALUE	unpublished
PARTIES	Mario Enrique Barroz Celis v. Pamela Bondi, John Mattos, et al.

TOPICS

- federal habeas corpus
- immigration detention
- injunctions
- civil procedure
- immigration

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether petitioner should be permitted to proceed in forma pauperis based on his inability to pay the filing fee.
2. Whether the § 2241 petition warranted service on the respondents after preliminary review.
3. Whether counsel should be appointed for petitioner in the interests of justice.
4. Whether the court should restrict respondents from transferring petitioner out of the district, except to effectuate his lawful deportation.

HOLDINGS

1. Petitioner may proceed in forma pauperis because the information provided showed that he was unable to pay the filing fee.
2. The petition warranted service on the respondents after preliminary review.
3. Appointment of the Federal Public Defender for the District of Nevada was appropriate because representation was in the interests of justice.
4. Respondents must not transfer petitioner out of the District of Nevada, except to effectuate petitioner's lawful deportation.

KEY QUOTATIONS

“Having conducted a preliminary review of Barroz Celis’s petition, the Court determines that it warrants service upon the respondents.” (at 1)

“the respondents must not transfer the petitioner out of this district, with the exception of effectuating the petitioner's lawful deportation.” (at 4)

FACTUAL BACKGROUND

Mario Enrique Barroz Celis was detained at the Nevada Southern Detention Center and challenged that immigration detention through a pro se § 2241 habeas petition. His application to proceed in forma pauperis indicated that he was unable to pay the filing fee. After preliminary review, the court determined that the petition warranted service and that appointment of counsel was in the interests of justice.

PROCEDURAL HISTORY

Barroz Celis initiated this federal habeas action while detained at the Nevada Southern Detention Center. The court preliminarily reviewed the petition, found that it warranted service, granted leave to proceed in forma pauperis, appointed counsel, and issued case-management and service directives.

DISPOSITION

other

CASES CITED

- Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986)
- F.T.C. v. Dean Foods Co., 384 U.S. 597, 604 (1966)

OPINION

1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 MARIO ENRIQUE BARROZ CELIS, Case No. 2:26-cv-00079-GMN-DJA 4 Petitioner, 5 ORDER v. 6 PAMELA BONDI, et al., 7 Respondents. 8 9 10 Petitioner Mario Enrique Barroz Celis has filed an application to proceed in forma 11 pauperis and a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241, 12 challenging his immigration detention at the Nevada Southern Detention Center.

ECF 13 Nos. 1, 1-1. 14 The information provided in the application to proceed in forma pauperis 15 indicates that Barroz Celis is unable to pay the filing fee for this action, so the Court will 16 grant him leave to proceed in forma pauperis and waive payment of the filing fee. 17 Having conducted a preliminary review of Barroz Celis's petition, the Court 18 determines that it warrants service upon the respondents.

The Court will order the 19 petition served on the respondents and will set a schedule for the respondents' 20 appearance and response. 21 In addition, the Court determines that appointment of counsel is in the interests of 22 justice. See Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986); 18 U.S.C. § 3006A. 23 The Court will appoint the Federal Public Defender for the District of Nevada to 24 represent Barroz Celis.

25 IT IS THEREFORE ORDERED that that Petitioner's application to proceed in 26 forma pauperis [ECF No. 1] is GRANTED. Petitioner is granted leave of court to 27 proceed in forma pauperis and will not be required to pay the filing fee for this action. 1 2 IT IS FURTHER ORDERED that the Clerk of Court is kindly directed to 3 separately file the Petition for Writ of Habeas Corpus (ECF No. 1-1).

4 IT IS FURTHER ORDERED that the Federal Public Defender for the District of 5 Nevada (FPD) is appointed to represent Petitioner. If the FPD is unable to represent 6 Petitioner, because of a conflict of interest or for any other reason, alternate counsel will 7 be appointed.

In either case, counsel will represent Petitioner in all federal court 8 proceedings relating to this matter, unless allowed to withdraw. 9 IT IS FURTHER ORDERED that the Clerk of Court is kindly directed to 10 electronically serve upon the FPD a copy of this order and a copy of the petition (ECF 11 No. 1-1). 12 IT IS FURTHER ORDERED that the FPD will have 7 days from the

date of this 13 order to file a notice of appearance or to indicate to the Court its inability to represent 14 Petitioner.

15 IT IS FURTHER ORDERED that if the FPD files a notice of appearance in this 16 matter, it will then have 14 days to file an Amended Petition, or to inform the Court that it 17 does not intend to file an Amended Petition.

The FPD shall effectuate service of the 18 Amended Petition on Respondents. 19 IT IS FURTHER ORDERED that the Clerk of Court is kindly directed to: 20 1. DELIVER a copy of the petition (ECF No. 1-1) and this order 21 to the U.S. Marshal for service. 22 2. ADD the United States Attorney for the District of Nevada to 23 the docket as an interested party. 24 3.

SEND, through CM/ECF, a copy of the petition (ECF No. 1) 25 and this Order to the United States Attorney's Office for the 26 District of Nevada at sigal.chattah@usdoj.gov, 27 summer.johnson@usdoj.gov, veronica.criste@usdoj.gov, 1 and caseview.ecf@usdoj.gov, in accordance with Federal 2 Rule of Civil Procedure 5(b)(2)(E). 3 4. SEND, through CM/ECF, a copy of the petition (ECF No. 1- 4 1) and this Order to counsel for Respondent John Mattos: 5 Ashlee Hesman at ahesman@strucklove.com and Jacob 6 Brady Lee at JLee@strucklove.com.

7 5. MAIL a copy of the petition (ECF No. 1) and this order 8 pursuant to Rule 4(i)(2) of the Federal Rules of Civil 9 Procedure to: 10 1) Pamela Bondi, Attorney General of the United States, U.S. Department of Justice, 950 Pennsylvania Avenue, 11 NW, Washington, DC, 20530 12 2) John Mattos, Warden, Nevada Southern Center, 2190 E. Mesquite Ave. Pahrump, NV 89060 13 14 IT IS FURTHER ORDERED that the U.S. Marshal SERVE a copy of the petition 15 (ECF No. 1-1) and this order on the United States Attorney for the District of Nevada or 16 on an Assistant United States Attorney or clerical employee designated by the United 17 States Attorney pursuant to Rule 4(i)(1)(A)(i) of the Federal Rules of Civil Procedure.

18 IT IS FURTHER ORDERED that counsel for the respondents file a notice of 19 appearance within 7 days of the date of this order and file and serve their response to 20 the petition within 14 days of the date of this order if no Amended Petition is filed, or 21 within 7 days from service of the Amended Petition, unless additional time is allowed for 22 good cause shown.

Respondents must file with their response any documents 23 referenced or relied upon in their responsive pleading. Petitioner will have 7 days 24 following the filing of the response to file a reply. 25 IT IS FURTHER ORDERED that the parties must meet and confer regarding any 26 requests for an extension of deadlines and stipulate to the extension if possible.

Any 27 motion for extension must certify efforts taken to meet and confer and indicate the 1 || Opposing party's position regarding the extension. Any motion or stipulation must 2 || comply with Federal Rule of Civil Procedure 6(b) and Local Rules IA 6-1, 6-2. 3 IT IS FURTHER

ORDERED that the respondents must not transfer the petitioner 4 || out of this district, with the exception of effectuating the petitioner's lawful deportation.

5 || See *F.T.C. v. Dean Foods Co.*, 384 U.S. 597, 604 (1966) (noting the court may use its 6 || “express authority under the All Writs Act to issue such temporary injunctions as may be 7 || necessary to protect its own jurisdiction”). 8 9 DATED THIS __16__ day of January, 2026. 10 Yj, GLORJA|M. NAVARRO 12 Sea NA DISTRICT JUDGE 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28