

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Nelson Mayor Martinez v. Pam Bondi, et al.

Martinez v. Bondi · No. 1:25-cv-01633-EFB (HC) · Decided December 10, 2025

SUMMARY

The United States District Court for the Eastern District of California grants an immigration detainee’s motions to proceed in forma pauperis and for appointment of counsel in a 28 U.S.C. § 2241 habeas proceeding. The court directs the appointment of counsel, requires respondents to obtain and provide the petitioner’s A-file, sets a deadline for the petitioner’s reply, and bars transfer of the petitioner outside the district pending further order.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 10, 2025
DOCKET	1:25-cv-01633-EFB (HC)
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner, an immigration detainee proceeding pro se, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 and moved to proceed in forma pauperis and for appointment of counsel. The court granted both motions, ordered respondents to produce the petitioner's A-file and respond, and restricted transfer of petitioner pending further order.
STANDARD OF REVIEW	Preliminary review under Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254.
PRECEDENTIAL VALUE	Unknown; no precedential designation appears in the opinion.
PARTIES	Nelson Mayor Martinez v. Pam Bondi, et al.

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether petitioner should be permitted to proceed in forma pauperis.
2. Whether the interests of justice and the complexity of the legal issues warranted appointment of counsel for the pro se immigration detainee.
3. Whether the court could restrict respondents from transferring petitioner outside the district to preserve jurisdiction over the pending § 2241 petition.

HOLDINGS

1. The court granted petitioner leave to proceed in forma pauperis.
2. When the interests of justice require it because of the complexity of the legal issues, the court may appoint counsel for a pro se habeas petitioner under 18 U.S.C. § 3006A(a)(2)(B). The court found that standard satisfied and granted the motion for appointment of counsel.
3. Pending further order, respondents may not transfer petitioner to another detention center outside the judicial district because the court may issue an injunction under the All Writs Act to preserve its jurisdiction over the pending § 2241 petition.

KEY QUOTATIONS

“issue all writs necessary or appropriate in aid of their respective jurisdictions....” (at 2)

“to preserve the court’s jurisdiction or maintain the status quo by injunction pending review of an agency’s action” (at 2)

FACTUAL BACKGROUND

Petitioner is an immigration detainee who filed a pro se petition for a writ of habeas corpus under 28 U.S.C. § 2241. He alleged a violation of constitutional rights and sought habeas relief. The court found the legal issues sufficiently complex to warrant appointed counsel and acted to preserve jurisdiction over the pending petition by restricting petitioner's transfer outside the district.

PROCEDURAL HISTORY

The petitioner filed a § 2241 habeas petition. After preliminary review under Rule 4, the court determined that the petition might warrant relief if the alleged constitutional violation were proved. Respondents were served and filed an answer or return; the court then granted in forma pauperis status, appointed counsel, issued case-management directives, and prohibited transfer outside the district pending further order.

DISPOSITION

other

CASES CITED

- Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983)
- F.T.C. v. Dean Foods Co., 384 U.S. 597, 604 (1966)

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