

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)

OPINION

Bondi

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 NELSON MAYOR MARTINEZ, No. 1:25-cv-01633-EFB (HC)

12 Petitioner, 13 v. ORDER 14 PAM BONDI, et al., 15 Respondents. 16 17 Petitioner, an
immigration detainee who is representing himself, filed a petition for a writ 18 of habeas corpus
pursuant to 28 U.S.C. § 2241. Petitioner's motion to proceed in forma pauperis 19 is granted. 20
Petitioner has also filed a motion for the appointment of counsel. In light of the 21 complexity of
the legal issues involved, the court has determined that the interests of justice 22 require the
appointment of counsel for petitioner. See 18 U.S.C. § 3006A(a)(2)(B); see also 23 Weygandt v.
Look, 718 F.2d 952, 954 (9th Cir. 1983). Within seven days from the date of this 24 order, the
appointing authority for the Eastern District of California shall identify counsel and 25 send
counsel's contact information to Nic Cannarozzi, Courtroom Deputy for Magistrate Judge 26
Edmund Brennan via email at ncannarozzi@caed.uscourts.gov who shall update the docket to 27
reflect counsel's appointment. If counsel is not a member of the Eastern District of California 28
Criminal Justice Act Panel, the court hereby authorizes them to serve as CJA counsel for 1 ||
petitioner for the duration of the proceedings in this court pursuant to Local Rule 180(b)(1). 2 The
court has conducted a preliminary review of the petition pursuant to Rule 4 of the 3 || Rules
Governing Habeas Corpus Cases Under Section 2254. Petitioner may be entitled to the 4 ||
requested relief if the claimed violation of constitutional rights is proved. Respondents have been
5 || served with the § 2241 petition and have filed an answer/return. See 28 U.S.C. § 2243. 6 In
accordance with the above, IT IS HEREBY ORDERED that: 7 1. Petitioner's motion to proceed in
forma pauperis (ECF No. 2) is granted. 8 2. Petitioner's motion to appoint counsel (ECF No. 3) is
granted. 9 3. Within seven days from the date of this order, the appointing authority for the Eastern
10 | District of California shall identify counsel and send counsel's contact information to Nic 11 ||
Cannarozzi, Courtroom Deputy for Magistrate Judge Edmund Brennan via email at 12 ||
nceannarozzi@caed.uscourts.gov who shall update the docket to reflect counsel's appointment.
13 4. The Clerk of the Court shall serve a copy of this order on the Federal Defender, 14 ||
Attention: Habeas Appointment, along with a copy of the § 2241 petition. 15 5. Respondent shall
request and obtain petitioner's complete A-file and provide a copy to 16 || petitioner's counsel

upon receipt. 17 6. Petitioner's reply is due 14 days after being served with this order. 18 7. In order to ensure this court's jurisdiction to resolve the pending § 2241 petition, 19 || respondents shall not transfer petitioner to another detention center outside of this judicial district, 20 || pending further order of the court. See 28 U.S.C. § 1651(a) (establishing the All Writs Act which 21 || empowers the federal courts to "issue all writs necessary or appropriate in aid of their respective 22 || jurisdictions...."); see also *F.T.C. v. Dean Foods Co.*, 384 U.S. 597, 604 (1966) (emphasizing 23 || that federal courts have the power to "to preserve the court's jurisdiction or maintain the status 24 || quo by injunction pending review of an agency's action"). 25 || Dated: December 9, 2025 26 LAV lige' Te LAEA

27 UNITED STATES MAGISTRATE JUDGE

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