

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Tuan Minh Lam v. John Mattos

Case No. 2:25-cv-02615-APG-NJK (D. Nev. Jan. 13, 2026) · No. 2:25-cv-02615-APG-NJK · Decided January 13, 2026

SUMMARY

The United States District Court for the District of Nevada grants Tuan Minh Lam’s application to proceed in forma pauperis and motion for appointment of counsel in his 28 U.S.C. § 2241 habeas petition. The court appoints the Federal Public Defender, directs service of the petition, prohibits Respondents from transferring Lam out of the District, and establishes deadlines for amended pleadings and responses. The order is signed by Chief Judge Andrew P. Gordon on January 13, 2026.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Andrew P. Gordon
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 13, 2026
DOCKET	2:25-cv-02615-APG-NJK
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, an application to proceed in forma pauperis, and a motion for appointment of counsel. After preliminary review, the district court granted in forma pauperis status, appointed counsel, directed service of the petition, ordered an amended petition and responses, and imposed a temporary transfer restriction.
STANDARD OF REVIEW	Preliminary review of a habeas petition; the court also applied the factors governing preliminary injunctive relief.
PRECEDENTIAL VALUE	Unpublished district court order; limited persuasive value
PARTIES	Tuan Minh Lam, Petitioner v. John Mattos, Respondent

TOPICS

- federal habeas corpus
- immigration detention
- service of process
- injunctions
- civil procedure

PRACTICE AREAS

Federal habeas corpus

immigration detention

civil procedure

preliminary injunctive relief

QUESTIONS PRESENTED

1. Whether Lam should be permitted to proceed in forma pauperis.
2. Whether appointment of counsel was warranted in the interests of justice given the complexity of the habeas proceeding.
3. Whether the petition should be served on the respondents after preliminary review.
4. Whether the court should temporarily prohibit Respondents from transferring Lam out of the District of Nevada to preserve the status quo and the court's jurisdiction.

HOLDINGS

1. The application to proceed in forma pauperis is granted because good cause exists.
2. Appointment of counsel is warranted because it is in the interests of justice, including in light of the complexities of the case.
3. The petition must be served on the respondents, and the respondents must appear and respond according to the schedule established in the order.
4. Respondents shall not transfer Lam out of the District of Nevada pending resolution on the merits.

KEY QUOTATIONS

“Following a preliminary review of the petition, I direct that the petition be served on the respondents.” (at 1)

“Given the exigent circumstances, I find that this order is warranted to maintain the status quo pending resolution on the merits and finds that Petitioner has satisfied the factors governing the issuance of such preliminary relief.” (at 3)

FACTUAL BACKGROUND

Tuan Minh Lam is an immigration detainee who filed a pro se § 2241 habeas petition in the District of Nevada. The court found the case sufficiently complex that appointment of counsel was in the interests of justice. Because of exigent circumstances and the need to preserve the court's jurisdiction and the status quo, the court ordered that Lam not be transferred out of the district while the case proceeds.

PROCEDURAL HISTORY

Lam initiated this federal habeas proceeding under § 2241 while detained in immigration custody. The court conducted a preliminary review, found good cause to grant in forma pauperis status, determined that appointment of counsel was in the interests of justice, and ordered service and further briefing. The court also ordered Respondents not to transfer Lam out of the District of Nevada pending resolution on the merits.

DISPOSITION

CASES CITED

- Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986)
- Kreiling v. Field, 431 F.2d 638, 640 (9th Cir. 1970) (per curiam)
- F.T.C. v. Dean Foods Co., 384 U.S. 597, 604 (1966)

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