

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Oleksandr Vladimirovich Melnyk v. Warden of the Golden State
Annex Detention Facility, et al.

Melnyk v. Warden of the Golden State Annex Detention Facility · No. 1:25-cv-01431-EPG-HC · Decided
October 28, 2025

SUMMARY

The United States District Court for the Eastern District of California denied without prejudice a pro se federal immigration detainee’s motion for appointment of counsel in a 28 U.S.C. § 2241 habeas proceeding. The court found that the petitioner could adequately articulate his claims and that appointment of counsel was not presently required in the interests of justice, while leaving open the possibility of revisiting the request after the respondent files a response.

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	October 28, 2025
DOCKET	1:25-cv-01431-EPG-HC
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner, a federal immigration detainee proceeding pro se under 28 U.S.C. § 2241, moved for appointment of counsel.
STANDARD OF REVIEW	The court evaluated the likelihood of success on the merits and the petitioner's ability to articulate his claims pro se in light of the complexity of the legal issues.
PRECEDENTIAL VALUE	Unpublished district court order; precedential status unknown
PARTIES	Oleksandr Vladimirovich Melnyk v. Warden of the Golden State Annex Detention Facility, et al.

TOPICS

- immigration detention
- immigration
- civil procedure

PRACTICE AREAS

immigration

habeas corpus

appointment of counsel

QUESTIONS PRESENTED

1. Whether the interests of justice required appointment of counsel for a pro se federal immigration detainee in a § 2241 habeas proceeding.

HOLDINGS

1. The interests of justice did not presently require appointment of counsel because Petitioner appeared able to understand and adequately articulate his claims and the legal issues involved.

KEY QUOTATIONS

“There currently exists no absolute right to appointment of counsel in habeas proceedings.” (at 1)

“The interests of justice do not require the appointment of counsel at the present time.” (at 2)

FACTUAL BACKGROUND

Petitioner is a federal immigration detainee proceeding pro se in a § 2241 habeas proceeding. He argued that counsel was warranted because he believed he had a strong chance of success, immigration-detention law was complex, and his detained-immigrant status made presenting his case difficult without counsel.

PROCEDURAL HISTORY

Melnyk filed a petition for a writ of habeas corpus and moved for appointment of counsel. The court reviewed the petition and motion and denied the motion without prejudice, while leaving open the possibility of revisiting the request after receiving Respondent's response.

DISPOSITION

other

CASES CITED

- Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986)
- Anderson v. Heinze, 258 F.2d 479, 481 (9th Cir. 1958)
- Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983)

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