

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Hoang Tuong Nguyen v. Field Office Director, San Francisco Field
Office, United States Immigration and Customs Enforcement, et al.

Nguyen · No. 1:24-cv-01579-EPG-HC · Decided May 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 concluded that Petitioner could adequately articulate his claims, the legal issues were not unusually complex, and the interests of justice did not presently require appointed counsel.

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	May 28, 2025
DOCKET	1:24-cv-01579-EPG-HC
DISPOSITION	other
PROCEDURAL POSTURE	Federal immigration detainee proceeding pro se moved for appointment of counsel in a pending petition for writ of habeas corpus under 28 U.S.C. § 2241.
STANDARD OF REVIEW	The court evaluated whether the interests of justice required appointment of counsel by considering the likelihood of success on the merits and the petitioner's ability to articulate claims pro se in light of the complexity of the legal issues.
PRECEDENTIAL VALUE	Unpublished district court order; limited persuasive value.
PARTIES	Hoang Tuong Nguyen v. Field Office Director, San Francisco Field Office, United States Immigration and Customs Enforcement, et al.

TOPICS

- immigration detention
- immigration
- remedies
- civil procedure

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the interests of justice required appointment of counsel for a financially eligible petitioner in this habeas proceeding.

HOLDINGS

1. Appointment of counsel was not required because there is no absolute right to counsel in habeas proceedings, and Petitioner did not demonstrate both a sufficient need based on the complexity of the issues and a likelihood of success on the merits such that the interests of justice required counsel.

KEY QUOTATIONS

“To determine whether to appoint counsel, the “court must evaluate the likelihood of success on the merits as well as the ability of the petitioner to articulate his claims pro se in light of the complexity of the legal issues involved.”” (1)

FACTUAL BACKGROUND

Petitioner was a federal immigration detainee proceeding without counsel in a § 2241 habeas proceeding. He argued that counsel was warranted because he had a strong chance of success, immigration-detention law was complex, and his detention made it difficult to present his case. The court found that he adequately understood and articulated his claims, that the legal issues were not extremely complex, and that he had not demonstrated a likelihood of success sufficient to require counsel.

PROCEDURAL HISTORY

Petitioner filed a § 2241 habeas petition and moved for appointment of counsel. The district court reviewed the petition and motion and denied appointment of counsel without prejudice.

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)