

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Gurpartap Singh v. Warden of the Golden State Annex, et al.

No. 1:25-cv-01689-KES-EPG-HC, United States District Court for the Eastern District of California (December 3, 2025)

SUMMARY

The United States District Court for the Eastern District of California orders that counsel be sought for Gurpartap Singh, an immigration detainee proceeding pro se in a 28 U.S.C. § 2241 habeas petition, if he is financially eligible. The court refers the matter to the Federal Public Defender’s Office and directs that office to report on eligibility within seven days; the Clerk is directed to serve the order and petition on the Federal Defender.

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 3, 2025
DOCKET	1:25-cv-01689-KES-EPG-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 requested appointment of counsel.
STANDARD OF REVIEW	To determine whether appointment of counsel is warranted, the court evaluates 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 involved.
PRECEDENTIAL VALUE	unpublished
PARTIES	Gurpartap Singh v. Warden of the Golden State Annex, et al.

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether counsel should be appointed for a financially eligible pro se immigration detainee in a § 2241 habeas proceeding when the interests of justice require it.

HOLDINGS

1. There is no absolute right to appointment of counsel in habeas proceedings.
2. The interests of justice would be served by appointment of counsel if Petitioner is financially eligible, given the complexity of the legal issues involved.

KEY QUOTATIONS

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

“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.”” (at 1)

FACTUAL BACKGROUND

Petitioner Gurpartap Singh is an immigration detainee who was representing himself in a petition for a writ of habeas corpus under 28 U.S.C. § 2241. He alleged that he had been detained on May 26, 2025. The court found that the complexity of the legal issues supported appointment of counsel if Petitioner was financially eligible.

PROCEDURAL HISTORY

The matter came before the United States District Court for the Eastern District of California on Petitioner's habeas petition and the issue of appointment of counsel. The court referred the matter to the Federal Public Defender's Office to determine whether counsel could be appointed if Petitioner was financially eligible and directed the Clerk to serve the order and petition.

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)

OPINION

(HC)Singh

PER CURIAM.

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UNITED STATES DISTRICT COURT

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EASTERN DISTRICT OF CALIFORNIA

10 11 GURPARTAP SINGH, Case No. 1:25-cv-01689-KES-EPG-HC 12 Petitioner, ORDER
REGARDING APPOINTMENT OF

COUNSEL

13 v.

14 WARDEN OF THE GOLDEN STATE ORDER DIRECTING CLERK OF COURT

ANNEX, et al., TO SERVE DOCUMENTS 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. 19 There currently exists no absolute right to appointment of counsel in habeas
proceedings. 20 See, e.g., Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986); Anderson v.
Heinze, 258 F.2d 21 479, 481 (9th Cir. 1958). However, 18 U.S.C. § 3006A(a)(2)(B) authorizes
the appointment of 22 counsel at any stage of the proceeding for financially eligible persons if “the
interests of justice 23 so require.” To determine whether to appoint counsel, the “court must
evaluate the likelihood of 24 success on the merits as well as the ability of the petitioner to
articulate his claims pro se in light 25 of the complexity of the legal issues involved.” Weygandt v.
Look, 718 F.2d 952, 954 (9th Cir. 26 1983). 27 In light of Petitioner’s allegations that he was
detained on May 26, 2025, during a 1 | ins, (ECF No. 1 at 6-7), the Court finds that the interests of
justice would be served by the 2, | appointment of counsel if Petitioner is financially eligible given
the complexity of the legal 3 | issues involved. 4 Accordingly, the Court HEREBY ORDERS: 5 1.
The matter is hereby referred to the Federal Public Defender’s Office to find counsel for 6
Petitioner if Petitioner is financially eligible for appointment of counsel pursuant to 18 7 US.C. §
3006A(a)(2)(B). 8 2. Within SEVEN (7) days of the date of service of this order, a notice shall be
filed with 9 the Court by the Federal Public Defender’s Office regarding whether Petitioner is 10
financially eligible for appointment of counsel. 11 3. The Clerk of the Court shall serve a copy of
this order and the petition for writ of habeas 12 corpus on the Federal Defender, Attention: Habeas
Appointment. 13 IT IS SO ORDERED. 14 15 Dated: _ December 3, 2025 [sl heey

6 UNITED STATES MAGISTRATE JUDGE

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