

**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)

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 U.S.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
17 18 19 20 21 22 23 24 25 26 27 28

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