

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

In re Khalid Keydsane Mohamed

In re Mohamed · No. 2:25-cv-02562-JAD-NJK · Decided January 6, 2026

SUMMARY

The United States District Court for the District of Nevada grants Khalid Keydsane Mohamed leave to proceed in forma pauperis in his habeas corpus action challenging his immigration detention. The court appoints the Federal Public Defender, orders service and a response, establishes briefing deadlines, and directs that Mohamed not be transferred out of the district except for lawful deportation.

CASE DETAILS

COURT	United States District Court for the District of Nevada
WRITING FOR THE COURT	Jennifer A. Dorsey
JURISDICTION	United States District Court for the District of Nevada
DECIDED	January 6, 2026
DOCKET	2:25-cv-02562-JAD-NJK
DISPOSITION	other
PROCEDURAL POSTURE	An immigration detainee filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging the lawfulness of his federal detention, together with an application to proceed in forma pauperis. On preliminary review, the court granted in forma pauperis status, appointed counsel, ordered service, directed a response, and imposed a limited transfer restriction.
STANDARD OF REVIEW	Preliminary review of a habeas petition; the court did not decide the ultimate merits of the detention challenge.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Khalid Keydsane Mohamed v. Respondent

TOPICS

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

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether Mohamed should be permitted to proceed in forma pauperis based on his inability to pay the filing fee.
2. Whether appointment of counsel was in the interests of justice.
3. Whether the habeas petition should be served and the respondent required to file a response after preliminary review.
4. Whether the court should restrict transfer of the petitioner out of the district, subject to effectuating lawful deportation.

HOLDINGS

1. The petitioner may proceed in forma pauperis because the information in his application showed that he was unable to pay the filing fee.
2. Appointment of counsel was warranted because it was in the interests of justice.
3. The petition was sufficiently subject to service and response after preliminary review, so the court ordered service on the respondent and required a responsive pleading.
4. The respondent must not transfer the petitioner out of the district, except to effectuate the petitioner's lawful deportation.

KEY QUOTATIONS

“Petitioner’s application to proceed in forma pauperis [ECF No. 1] is GRANTED.” (at 1)

“the respondent must not transfer the petitioner out of this district, with the exception of effectuating the petitioner’s lawful deportation.” (at 3)

FACTUAL BACKGROUND

Khalid Keydsane Mohamed is an immigration detainee held at Nevada Southern Detention Center. He challenged the lawfulness of his federal detention through a habeas petition and represented that he was unable to pay the filing fee.

PROCEDURAL HISTORY

Mohamed submitted a habeas petition challenging his detention at Nevada Southern Detention Center and an application to proceed without prepaying the filing fee. The district court conducted a preliminary review, found that the fee application established inability to pay, determined that appointment of counsel was in the interests of justice, and ordered the petition served on the respondent.

DISPOSITION

other

CASES CITED

- Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986)
- Harris v. Nelson, 394 U.S. 286, 290 (1969)
- F.T.C. v. Dean Foods Co., 384 U.S. 597, 604 (1966)

OPINION

1 UNITED STATES DISTRICT COURT 2 DISTRICT OF NEVADA 3 In re Khalid Keydsane Mohamed, Case No.: 2:25-cv-02562-JAD-NJK 4 Petitioner Order 5 6 Pro se petitioner Khalid Keydsane Mohamed, an immigration detainee who is 7 challenging the lawfulness of his federal detention at Nevada Southern Detention Center, has 8 submitted for filing a petition for writ of habeas corpus challenging the lawfulness of his 9 detention,¹ along with an application to proceed in forma pauperis.² The information provided in 10 the application to proceed in forma pauperis indicates that Mohamed is unable to pay the filing 11 fee for this action, so I grant him leave to proceed without paying the filing fee.

I also find that 12 appointment of counsel in this case is in the interests of justice.³ And having conducted a 13 preliminary review of the habeas petition, I direct that the petition be served on the respondent 14 and I order the respondent to file a response. 15 IT IS THEREFORE ORDERED that that the petitioner's application to proceed in 16 forma pauperis [ECF No. 1] is GRANTED.

Petitioner is granted leave of court to proceed in 17 forma pauperis and will not be required to pay the filing fee for this action. 18 IT IS FURTHER ORDERED that the Federal Public Defender for the District of Nevada 19 (FPD) is appointed to represent the petitioner and is directed to file a notice of appearance (or 20 indicate their inability to represent the petitioner) within 7 days of the date of this order.

If the 21 22 1 ECF No. 1-1. 2 ECF No. 1. 23 3 See Chaney v. Lewis, 801 F.2d 1191, 1196 (9th Cir. 1986); 18 U.S.C. § 3006A. 1 FPD is unable to represent the petitioner because of a conflict of interest or for any other reason, 2 alternate counsel will be appointed. Appointed counsel will represent the petitioner in all federal 3 proceedings related to this matter, including any appeals or certiorari proceedings, unless 4 allowed to withdraw.

5 IT IS FURTHER ORDERED that the Clerk of Court is directed to: 6 1. SEPARATELY FILE the Petition for Writ of Habeas Corpus (ECF No. 1-1). 7 2. ELECTRONICALLY SERVE upon the FPD a copy of this order and a copy of 8 the petition for writ of habeas corpus (ECF No. 1-1). 9 3. DELIVER a copy of the petition for writ of habeas corpus (ECF No. 1-1) and this 10 order to the U.S. Marshal for service.

11 4. ADD the United States Attorney for the District of Nevada to the docket as an 12 interested party. 13 5. SEND, through CM/ECF, a copy of the Petition (ECF No. 1-1) and this order 14 to the United States Attorney's Office for the District of Nevada at 15 sigal.Chattah@usdoj.gov, summer.johnson@usdoj.gov, 16 veronica.criste@usdoj.gov, and caseview.ecf@usdoj.gov, in accordance with 17 FRCP 5(b)(2)(E).

18 6. MAIL a copy of the Petition (ECF No. 1-1) and this order pursuant to Rule 19 4(i)(2) of the Federal Rules of Civil Procedure (FRCP) to: 20 John Mattos, Warden, Nevada Southern Detention Center, 2190 E. Mesquite Ave., Pahrump, NV 89060 21 22 23 1 IT IS FURTHER ORDERED that the U.S. Marshal SERVE a copy of the Petition (ECF 1-1) and this order on the United States Attorney for the District of Nevada or on an 3] Assistant United States Attorney or clerical employee designated by the United States Attorney accordance with FRCP 4(i)(1)(A)(i).

5 IT IS FURTHER ORDERED that counsel for the respondent file a notice of appearance within 7 days of the date of this order and file and serve their response to the petition within 14 7\| days of the date of this order, unless additional time is allowed for good cause shown.

The 8]\| respondent must file any documents referenced or relied upon in their responsive pleading with 9]\| that pleading.* Petitioner will then have 7 days to file a reply. 10 IT IS FURTHER ORDERED that the parties must meet and confer regarding any requests for an extension of deadlines and stipulate to the extension if possible. Any motion for 12]\| extension must certify efforts taken to meet and confer and indicate the opposing party's position 13]\| regarding the extension.

Any motion or stipulation must comply with FRCP 6(b) and Local 14] Rules IA 6-1, 6-2. 15 IT IS FURTHER ORDERED that the respondent must not transfer the petitioner out of 16]\| this district,> with the exception of effectuating the petitioner's lawful deportation. 17 18 U.S. Dist udge J énnifer A. Dorsey January 6, 2025 19 20 4 * See Harris v. Nelson, 394 U.S. 286, 290 (1969) (holding that "a district court, confronted by a petition for habeas corpus which establishes a prima facie case for relief, may use or authorize 9 the use of suitable discovery procedures... reasonably fashioned to elicit facts necessary to help the court to 'dispose of the matter as law and justice require.'" (citing 28 U.S.C. § 2243)).

3 > See F.T.C. v. Dean Foods Co., 384 U.S. 597, 604 (1966) (noting the court may use its "express authority under the All Writs Act to issue such temporary injunctions as may be necessary to protect its own jurisdiction").