

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

**Abdullo Idiev v. Warden, Golden State Annex Detention Facility, et
al.**

Idiev · No. 1:25-cv-01778-SKO (HC) · Decided December 17, 2025

SUMMARY

The United States District Court for the Eastern District of California denied Abdullo Idiev's request for appointment of counsel in his habeas proceeding. The court held that there is no absolute right to appointed counsel in habeas proceedings and that the interests of justice did not currently require appointment.

OPINION

1 2 3 4 5 6 7 8 UNITED STATES DISTRICT COURT 9 EASTERN DISTRICT OF
CALIFORNIA 10 11 ABDULLO IDIEV, Case No. 1:25-cv-01778-SKO (HC) 12 Petitioner,
ORDER DENYING MOTION FOR APPOINTMENT OF COUNSEL 13 v. [Doc. 3] 14
WARDEN, GOLDEN STATE ANNEX DETENTION FACILITY, et al., 15 Respondents. 16 17
18 Petitioner has requested the appointment of counsel. There currently exists no absolute 19 right
to appointment of counsel in habeas proceedings.

See, e.g., *Anderson v. Heinze*, 258 F.2d 20 479, 481 (9th Cir. 1958); *Mitchell v. Wyrick*, 727 F.2d
773, 774 (8th Cir. 1984). However, 21 Title 18 U.S.C. § 3006A(a)(2)(B) authorizes the
appointment of counsel at any stage of the case 22 if "the interests of justice so require." See Rule
8(c), Rules Governing Section 2254 Cases. At 23 the present time, the Court does not find that the
interests of justice require the appointment of 24 counsel.

25 Accordingly, IT IS HEREBY ORDERED that Petitioner's request for appointment of 26
counsel is DENIED. 27 IT IS SO ORDERED. 1 Dated: December 17, 2025 /s/ Sheila K. Oberto. 2
UNITED STATES MAGISTRATE JUDGE 3 4 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22
23 24 25 26 27