

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF NEVADA

Humberto Perez v. Pamela Bondi, et al.

Perez · No. 2:25-cv-02390-CDS-BNW · Decided December 9, 2025

SUMMARY

The United States District Court for the District of Nevada grants Humberto Perez’s motion for appointment of counsel in his pro se 28 U.S.C. § 2241 habeas petition. The order appoints the Federal Public Defender, directs service of the petition on the respondents and relevant government officials, and sets deadlines for a notice of appearance, response, and reply.

OPINION

Perez

PER CURIAM.

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2 UNITED STATES DISTRICT COURT

DISTRICT OF NEVADA

3 4 Humberto Perez, Case No.: 2:25-cv-02390-CDS-BNW 5 Petitioner Order Directing Service of
the Petition and 6 v. Appointing Counsel 7 Pamela Bondi, et al., [ECF No. 1] 8 Respondents 9 10
Petitioner Humberto Perez, immigration detainee, has filed a pro se petition for writ of 11 habeas
corpus under 28 U.S.C. § 2241 and a motion to appoint Federal Public Defender. ECF

12 Nos. 1, 2. First, I find that the appointment of counsel is in the interests of justice, given,
among

13 other things, the complexities of this case.¹ Following a preliminary review of the petition, I 14
direct that the petition be served on the respondents and direct the respondents to file a 15
response. 16 It is hereby ordered that the motion for appointment of counsel [ECF No. 1] is
granted. 17 The Federal Public Defender for the District of Nevada is appointed to represent
petitioner 18 Humberto Perez. If the FPD is unable to represent the petitioner, because of a
conflict of interest 19 or for any other reason, alternate counsel will be appointed. In either case,
counsel will represent 20 the petitioner in all federal court proceedings relating to this matter,
unless allowed to 21 withdraw. 22 It is further ordered that the Clerk of Court: 23 1. DELIVER a
copy of the petition (ECF No. 2) and this order to the U.S. Marshal 24 for service. 25 1 Prisoners
applying for habeas corpus relief are entitled to appointed counsel when the circumstances 26
indicate that appointed counsel is necessary to prevent due process violations. *Chaney v. Lewis*,
801 F.2d 1191, 1196 (9th Cir. 1986) (citing *Kreiling v. Field*, 431 F.2d 638, 640 (9th Cir. 1970)
(per curiam)). Indeed, the court may appoint counsel at any stage of the proceedings if the
interests of justice so require. See 18 U.S.C. § 3006A; see also Rule 8(c), Rules Governing § 2254

Cases; Chaney, 801 F.2d at 1196. 1 2. ADD the United States Attorney for the District of Nevada to the docket as an 2 Interested Party. 3 3. SEND, through CM/ECF, a copy of the petition (ECF No. 2) and this order to 4 the United States Attorney for the District of Nevada at 5 Sigal.Chattah@usdoj.gov, Veronica.Criste@usdoj.gov, 6 Summer.Johnson@usdoj.gov, and caseview.ecf@usdoj.gov, in accordance with 7 Federal Rule of Civil Procedure 5(b)(2)(E). 8 4. MAIL a copy of the petition (ECF No. 2) and this order pursuant to Rule 4(i)(2) 9 of the Federal Rules of Civil Procedure to: 10 (a) Kristi Noem, Secretary, United States Department of Homeland Security, 245 11 Murray Lane SW, Washington, DC 20528 12 (b) Pamela Bondi, Attorney General of the United States, 950 Pennsylvania 13 Avenue, NW, Washington, DC, 20530 14 (c) Todd Lyons, Acting Director and Senior Official Performing the Duties of the 15 Director for U.S. Immigration and Customs Enforcement, 500 12th Street, 16 SW, Washington, DC 20536 17 (d) John Mattos, Warden, Nevada Southern Center, 2190 E. Mesquite Ave. 18 Pahrump, NV 89060 19 (e) Michael Bernacke, U.S. Immigration Customs Enforcement and Removal 20 Operations, 501 S. Las Vegas Blvd. Ste 200, Las Vegas, NV 89101 21 It is further ordered that the U.S. Marshal SERVE a copy of the petition (ECF No. 2) and 22 this order on the United States Attorney for the District of Nevada or on an Assistant United 23 States Attorney or clerical employee designated by the United State Attorney pursuant to Rule 24 4(i)(1)(A)(i) of the Federal Rules of Civil Procedure. 25 26 1 It is further ordered that counsel for the respondents file a notice of appearance by 2|| December 12, 2025, and file and serve their response to the petition by December 24, 2025, 3} unless additional time is allowed for good cause shown. 4 It is further ordered that Perez has 7 days tow filing of the response to file a reply. 5 Dated: December 9, 2025 LZ ‘ Cristina D. Silva 7 niyed States District Judge 9 10 ll 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26