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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

MYNOR E. L. H.,¹
Petitioner,
v.
WARDEN OF THE CALIFORNIA CITY
CORRECTIONAL CENTER, et al.,
Respondents.

No. 2:26-cv-01125-TLN-JDP

ORDER

Petitioner Mynor E. L. H. (“Petitioner”), an immigration detainee who is representing himself, filed a Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 (“the Petition”) (ECF No. 1) and Motion for Temporary Restraining (ECF No. 2), which contains a request for appointment of counsel.²

Petitioner’s motion seeking a prohibition on transfer and an expedited briefing schedule on the Petition (ECF No. 2) is granted. Pending the Court’s ruling on the Petition, Respondents

¹ As recommended by the Committee on Court Administration and Case Management of the Judicial Conference of the United States, the Court omits Petitioner’s full name, using only his first name and last initial, to protect sensitive personal information. *See* Memorandum re: Privacy Concern Regarding Social Security and Immigration Opinions, Committee on Court Administration and Case Management, Judicial Conference of the United States (May 1, 2018), https://www.uscourts.gov/sites/default/files/18-cv-1-suggestion_cacm_0.pdf.

² This Court liberally construes pro se filings. *See Estelle v. Gamble*, 429 U.S. 97, 106 (1976).

1 shall not take any action to transfer Petitioner out of this District. *See F.T.C. v. Dean Foods Co.*,
2 384 U.S. 597, 608 (1966) (acknowledging the Court’s “express authority under the All Writs Act
3 to issue such temporary injunctions as may be necessary to protect its own jurisdiction”).

4 Additionally, Respondents shall file a response to the Petition **within three (3) court days**
5 **from the date of this Order**. Any response must include Petitioner’s full Form I-213, any orders
6 of release or detention, any custody warrants or notices, and any other portions of Petitioner’s A-
7 File relevant to the determination of the issues presented in the Petition. The response must also
8 address Petitioner’s status as a “hidden detainee” who is not registered in the U.S. Immigration
9 and Customs Enforcement Online Detainee Locator System (<https://locator.ice.gov/odls/#/search>)
10 and the Executive Office for Immigration Review database (<https://acis.coir.justice.gov/en/>). (*See*
11 ECF No. 2 at 2.) Failure to timely respond shall be construed as a non-opposition. *See* L.R.
12 230(c). Petitioner may file a reply, if any, **within ten (10) court days from the date of this**
13 **Order**.

14 Based on the facts surrounding Petitioner’s detention, the Court provisionally authorizes
15 Petitioner to proceed in forma pauperis, subject to Petitioner filing an application to proceed in
16 forma pauperis **within thirty (30) days from the date of this Order**. *See* 28 U.S.C. § 1914.

17 Petitioner’s motion to appoint counsel is granted. (*See* ECF No. 2 at 6.) In light of the
18 complexity of the legal issues involved, the Court has determined that the interests of justice
19 require the appointment of counsel for Petitioner. *See* 18 U.S.C. § 3006A(a)(2)(B); *see also*
20 *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983). **Within seven (7) court days from the**
21 **date of this Order**, the appointing authority for the Eastern District of California shall identify
22 counsel and send counsel’s contact information to Michele Krueger, Courtroom Deputy for Chief
23 Judge Troy Nunley, via email at mkrueger@caed.uscourts.gov, who shall update the docket to
24 reflect counsel’s appointment. If counsel is not a member of the Eastern District of California
25 Criminal Justice Act (“CJA”) Panel, the Court hereby authorizes them to serve as CJA counsel
26 for petitioner for the duration of the proceedings in this Court pursuant to Local Rule 180(b)(1).

27 In accordance with the above, IT IS HEREBY ORDERED that:

- 28 1. In order to ensure this Court’s jurisdiction to resolve the pending § 2241 petition,

1 Respondents shall not transfer Petitioner to another detention center outside of this
2 judicial district, pending further order of the Court.

3 2. Petitioner's motion (ECF No. 2) is GRANTED:

4 a. This Court appoints counsel for Petitioner. Within seven (7) court days from
5 the date of this Order, the appointing authority for the Eastern District of
6 California shall identify counsel and notify the Court.

7 b. Respondents shall file a response to the Petition within three (3) court days
8 from the date of this Order. Petitioner may file a reply, if any, within ten (10)
9 court days from the date of this Order.

10 3. Petitioner is provisionally authorized to proceed in forma pauperis, subject to
11 Petitioner filing an application to proceed in forma pauperis within thirty (30) days
12 from the date of this Order.


13 4. The Clerk of the Court is directed to serve Petitioner with an application to proceed in
14 forma pauperis.

15 5. The Clerk of the Court shall serve a copy of this Order on the Federal Defender,
16 Attention: Habeas Appointment, along with a copy of the § 2241 petition.

17 6. The Clerk of the Court shall serve a copy of this Order together with a copy of
18 Petitioner's application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 on
19 the United States Attorney.

20 IT IS SO ORDERED.

21 Date: March 26, 2026

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23 _____
24 TROY L. NUNLEY
25 CHIEF UNITED STATES DISTRICT JUDGE
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