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UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

SAYSOUK MAHARAJ,

Petitioner,

v.

WARDEN OF THE CALIFORNIA CITY
DETENTION FACILITY,

Respondent.

No. 1:26-cv-00637 TLN SCR

MINUTE ORDER

Petitioner, an immigration detainee who is proceeding without an attorney, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. The matter has been referred to the undersigned by operation of Local Rule 302(c)(17) and 28 U.S.C. § 636.

Petitioner has paid the filing fee. Accordingly, petitioner’s motion to proceed in forma pauperis (ECF No. 2) is denied as moot. Further, the undersigned will defer ruling on petitioner’s motion for appointment of counsel. ECF No. 3. At this early stage in the litigation, it is not clear that the interests of justice require the appointment of counsel for petitioner. See 18 U.S.C. § 3006A(a)(2)(B); see also Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983).

The court has conducted a preliminary review of the petition pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases Under § 2254.¹ Because petitioner may be entitled to the requested relief if the claimed violation of constitutional rights is proved, respondent will be directed to show cause why the writ should not be granted by filing a return within seven (7) days from the date of this order. See 28 U.S.C. § 2243. In that return, respondent shall address whether this case is factually or legally distinguishable from the decision in Nguyen v. Charles, No. 1:25-cv-1592 TLN CSK, 2025 WL 3492117 (E.D. Cal. Dec. 4, 2025). Absent a further order of the court, the petition will be taken under submission after the filing of the return.

In order to ensure this court’s jurisdiction to resolve the pending § 2241 petition, respondent shall not transfer petitioner to another detention center outside of this judicial district, pending further order of the court. See 28 U.S.C. § 1651(a) (establishing the All Writs Act which empowers the federal courts to “issue all writs necessary or appropriate in aid of their respective jurisdictions....”); see also F.T.C. v. Dean Foods Co., 384 U.S. 597, 604 (1966) (emphasizing that federal courts have the power to “to preserve the court’s jurisdiction or maintain the status quo by injunction pending review of an agency’s action”).

IT IS SO ORDERED.

¹ Rule 1(b) of the Rules Governing Habeas Corpus Cases Under § 2254 allows a district court to apply any or all of the rules to other types of habeas corpus petitions including § 2241 petitions.