

UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA

CIVIL MINUTES--GENERAL

Case No. **2:25-cv-10824-DTB**

Date: **January 16, 2026**

Title: **Olesksii Vasylevskiy v. CBP, et al**

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DOCKET ENTRY

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PRESENT:

HON. DAVID T. BRISTOW, MAGISTRATE JUDGE

Rachel Maurice
Deputy Clerk

n/a
Court Reporter

ATTORNEYS PRESENT FOR PETITIONER:
None present

ATTORNEYS PRESENT FOR RESPONDENT:
None present

**PROCEEDINGS: (IN CHAMBERS) ORDER REFERRING CASE TO THE
FEDERAL PUBLIC DEFENDER TO CONSIDER APPOINTMENT OF
COUNSEL; ORDER REGARDING PETITIONER'S PETITION FOR ADDING
RESPONSES [DOCKET NO. 51]**

Petitioner, an immigration detainee who is proceeding pro se, filed a Petition for a Writ of Habeas Corpus under 28 U.S.C. § 2241. Although Petitioner has not requested the appointment of counsel, the Court, having reviewed the Petition and docket in this matter, issues the following order.

There is no absolute right to appointment of counsel in habeas proceedings. Nevius v. Sumner, 105 F.3d 453, 460 (9th Cir. 1996). Appointment of counsel may be authorized at any stage of the proceedings, however, if “the interests of justice so require[.]” 18 U.S.C. § 3006A(a)(2). The decision of whether to appoint counsel in a habeas proceeding turns on a petitioner’s ability to articulate his claims pro se in light of the complexity of the legal issues involved and his likelihood of success on the merits. See Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983).

Here, the Weygandt factors sufficiently support the appointment of counsel to represent Petitioner. The office of the Federal Public Defender for the Central District of California (“FPD”) has indicated that it will accept appointments to represent pro se petitioners in immigration-related habeas corpus proceedings such as this one. Accordingly, the Court **REFERS** this case to the FPD for consideration of appointment of counsel for Petitioner. The FPD is **ORDERED** to file a response within **seven days**

of this order issuing, indicating whether the FPD will represent Petitioner in this matter. This obligation shall be satisfied if the FPD files a notice of appearance in this case. The Clerk of Court is **DIRECTED** to serve a copy of this order on the FPD.

With respect to Petitioner's Petition for Adding Respondent(s), the Court DENIES the same for failure to comply with the Federal Rules of Civil Procedure as well as the Central District of California Local Civil Rules ("Local Rule") with respect to amended pleadings. (See Fed.R.Civ.P. 15 and Local Rule 15-1).

IT IS SO ORDERED.

cc: FPD [ATTN: Jonathan_Aminoff@fd.org]