UNITED STATES DISTRICT COURT

FOR THE EASTERN DISTRICT OF CALIFORNIA

SANTOS NOE VIJIL ACOSTA, Petitioner, v. WARDEN OF THE GOLDEN STATE ANNEX DETENTION FACILITY, et al., Respondents.	No. 1:26-cv-00530-TLN-EFB **ORDER**

Petitioner Santos Noe Vijil Acosta ("Petitioner"), an immigration detainee who is representing himself, filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 and Motion for Temporary Restraining Order. (ECF No. 1.) Petitioner also filed an Emergency Request seeking to stay Petitioner's removal from this district. (ECF No. 2.)

On January 22, 2026, this Court ordered Respondents to not take any action to transfer Petitioner out of this District. (ECF No. 4.)

Petitioner's Emergency Request (ECF No. 2) is GRANTED as set forth below. As previously ordered (ECF No. 4), to ensure this Court's jurisdiction to resolve the pending § 2241 petition, Respondents shall not transfer Petitioner to another detention center outside of this judicial district, pending further order of the Court. *See F.T.C. v. Dean Foods Co.*, 384 U.S. 597, 608 (1966). Respondents shall provide proof of compliance with this Court's order confirming Petitioner's location by Friday, January 23, 2026.

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Respondents shall file a response to Petitioner's Motion for Temporary Restraining Order by Monday, January 26, 2026. Any opposition shall provide the Court with copies of all referenced/relevant portions of Petitioner's A-File and any and all available records related to Petitioner's allegations. Respondents' response shall inform the Court whether Respondents request the Court enter final judgment granting the petition for writ of habeas corpus on the merits if the Court is inclined to grant preliminary relief.

In light of the complexity of the legal issues involved, the Court has determined 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). Within seven (7) days from the date of this order, the appointing authority for the Eastern District of California shall identify counsel and send counsel's contact information to Michele Krueger, Courtroom Deputy for Chief Judge Troy Nunley, via email at mkrueger@caed.uscourts.gov, who shall update the docket to reflect counsel's appointment. If counsel is not a member of the Eastern District of California Criminal Justice Act ("CJA") Panel, the Court hereby authorizes them to serve as CJA counsel for Petitioner for the duration of the proceedings in this Court pursuant to Local Rule 180(b)(1).

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

1. Petitioner's Emergency Request (ECF No. 2) is GRANTED.
2. Respondents shall not transfer Petitioner to another detention center outside of this judicial district, pending further order of the Court.
3. Respondents shall file proof of compliance with this Court's Order that Petitioner not be transferred out of this District that confirms Petitioner's present location by Friday, January 23, 2026.
4. Respondents shall file a response to Petitioner's Motion for Temporary Restraining Order by Monday, January 26, 2026.
5. Within seven (7) days from the date of this order, the appointing authority for the Eastern District of California shall identify counsel and send counsel's contact information to Michele Krueger, Courtroom Deputy for Chief Judge Troy Nunley,

who shall update the docket to reflect counsel's appointment.

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

IT IS SO ORDERED.

Date: January 22, 2026

TROY L. NUNLEY
CHIEF UNITED STATES DISTRICT JUDGE