

1 Name: NGO VAN QUAN
2 A Number: # [REDACTED]
3 Address: PO Box 6300
4 Florence, ARIZONA
5 85132
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9 UNITED STATES DISTRICT COURT
DISTRICT of ARIZONA

10 Name: NGO VAN QUAN

Case No. **CV25-02407-PHX-DJH-JFM**

11 Petitioner,

12 MOTION FOR APPOINTMENT OF
13 COUNSEL PURSUANT TO 18
14 U.S.C. § 3006A

15 ^v
16 ESTEP A.
17 M. MARTINEZ,
18 ICE/ERO/DHS

19 Respondents.

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THIS DOCUMENT IS NOT IN PROPER FORM ACCORDING
TO FEDERAL AND/OR LOCAL RULES AND PRACTICES
AND IS SUBJECT TO REJECTION BY THE COURT.

REFERENCE LR CIVPS-4
(Rule Number/Section)

21 Petitioner [name] NGO VAN QUAN has filed a petition for writ of
22 habeas corpus under 28 U.S.C. § 2241 challenging Petitioner's indefinite detention by
23 Respondents. Petitioner was detained by Immigration and Customs Enforcement (ICE) on or
24 about [date] 3-31-25. Petitioner has remained in ICE custody since that
25 date. An Immigration Judge ordered Petitioner removed and Petitioner's removal order became
26 final on or about [date] May 12-2005, but ICE has been unable to remove
27 Petitioner.

1 In *Zadvydas v. Davis*, the Supreme Court held that the immigration statute 8 U.S.C. §
2 1231(a)(6) does not allow ICE to detain a noncitizen indefinitely while attempting to carry out
3 removal. 533 U.S. 678, 689 (2001). After six months of presumptively-reasonable detention, if
4 the noncitizen provides good reason to believe that removal is not reasonably foreseeable, the
5 burden shifts to the government to rebut that showing. *Id.* at 701.

6 Petitioner moves the Court to appoint counsel to represent Petitioner in this case. The
7 Court may appoint counsel in a habeas action when the "interests of justice so require." 18 U.S.C.
8 § 3006A(a)(2)(B). Here, Petitioner has a strong chance of success on the merits because
9 Petitioner has been held for longer than six months since being ordered removed and Petitioner's
10 country still refuses to accept him or her. However, given the complexity of the law on
11 immigration detention and Petitioner's status as a detained immigrant, Petitioner would have
12 great difficulty presenting the case without the assistance of counsel. For these reasons, Petitioner
13 respectfully requests that the Court appoint counsel.

14
15 Date: 7-1-25

Signature: _____

Petitioner

<u>Ngoc VAN QUAN</u> (Name of alien(s) in proceedings)	
	
(A-Number of alien(s) in proceedings)	
CERTIFICATE OF SERVICE	
On <u>7-1-25</u> , <u>Ngoc VAN QUAN</u> (date) (printed name of person signing below)	
served a copy of this <u>Petition for writ of Habeas corpus</u> (type of document)	
and any attached pages to <u>Motion to request for appointed lawyer</u> (name of party served)	
at the following address: <u>To: US district court</u> <u>401 Washington St, Phoenix AZ 85003</u> (address of party served)	
<u>PO Box 6300 Florence, AZ 85132</u> (address of party served)	
by: <u>Mail</u> (method of service - for example, overnight courier, hand-delivery, first-class mail, ICE OPLA eService)	
 (signature)	<u>7-1-25</u> (date)