

The Honorable Grady J Leupold

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

FERNANDO LEDESMA GONZALEZ,
Petitioner,

No. 2:25-cv-01404-JNW-GJL

v.

MOTION FOR APPOINTMENT OF
CO-COUNSEL

DREW BOSTICK, et al.,
Respondent.

Note on Motion Calendar: July 29, 2025¹

Petitioner, through undersigned counsel, moves this Honorable Court to appoint additional counsel to this § 2241 habeas matter. In support of this Motion, counsel states as follows:

1. This is a habeas action filed under 28 U.S.C. § 2241. Petitioner was released on his own recognizance in connection with removal proceedings in which he sought asylum. Despite complying with his release conditions, Petitioner was apprehended by ICE agents while attending his routine ICE check-in on July 1, 2025, in Eugene, Oregon.

2. Prior counsel, Raquel Hecht, agreed to represent Petitioner in habeas proceedings on July 1, 2025, and filed a petition for writ of habeas corpus in the District of Oregon. However, the petition was filed after Petitioner had already been transferred to the Tacoma ICE Processing Center in Tacoma, Washington.

¹ Although motions for appointment of counsel are not listed in Local Rule 7(d)(1) as matters suitable for same day consideration, because appointment of counsel is “a matter exclusively within the province of the judiciary,” the Court need not allow time for the Respondents to respond to this Motion. *See United States v. Wells*, 879 F.3d 900, 913-14 (9th Cir. 2018) (“The Government’s exclusion from the administration of the CJA is a significant contributing factor to the fairness of our system and the CJA’s role in redressing the imbalance of power between an indigent defendant and the Government.”).

1 3. On July 23, 2025, undersigned counsel entered their notice of appearance pursuant to the
2 criteria set forth in U.S. District Court for the District of Oregon Standing Order 2005-6 (In Re:
3 Appointment of Counsel for Immigration Detainees Seeking Habeas Relief Under 28 U.S.C.
4 § 2241).

5 4. The next day, on July 24, 2025, the federal court in Oregon transferred this case to this
6 Court and permitted prior counsel (Raquel Hecht) to withdraw. On July 25, 2025, the matter was
7 electronically transferred to this Court from the U.S. District Court for the District of Oregon.

8 5. Petitioner requests that the Court appoint the Federal Public Defender for the District of
9 Western Washington, specifically Assistant Federal Public Defender Gregory Murphy, as addi-
10 tional counsel in this matter. This Court has broad discretion to appoint counsel in § 2241 cases
11 when the “interests of justice so require.” 18 U.S.C. § 3006A(a)(2)(B). As set forth in the Peti-
12 tion, this case presents important issues of statutory and constitutional law, including whether the
13 Respondents exceeded their discretion under the Administrative Procedures Act to revoke Peti-
14 tioner’s release despite his compliance with the release conditions, and whether the revocation
15 violated his due process rights. Appointment of additional counsel is in the interests of justice be-
16 cause the Petitioner is detained in the Western District of Washington, and it will be more time
17 and cost-effective for Mr. Murphy to visit Petitioner in custody. Additionally, Mr. Murphy has
18 specific expertise in issues of immigration law in the context of § 2241 habeas proceedings. His
19 appearance in this matter will aid the Petitioner in cogently presenting the legal issues to the
20 Court. Further, Mr. Murphy’s knowledge of local practice and procedure will significantly bene-
21 fit the Petitioner.

22 Wherefore, Petitioner prays that this Motion is granted, and that the Court appoint
23 Mr. Murphy as additional counsel for Petitioner.

24 DATED: July 29, 2025.

25 *s/ Kurt David Hermansen*

26 Kurt David Hermansen, CA Bar 166349
AFPD & Attorney for Petitioner