

1 Israel Nava Arellano
2 (In Propria Persona)

3 A [REDACTED]
4 Fe [REDACTED]

5 San Luis Regional Detention Center
6 P.O. Box 7710
7 San Luis, AZ. 85349
8

9 UNITED STATES DISTRICT COURT
10 DISTRICT OF ARIZONA

11
12 Israel Nava Arellano
13 (petitioner);

14
15 v.

16
17 David R. Rivas
18 (Respondent);
19

Case No.:

CV25-02887-PHX-JAT--ASB

Date :

Motion for Appointment
of Counsel pursuant to

18 U.S.C. § 3006A.

20
21
22
23 Petitioner, Israel Nava Arellano, brings this
24 Motion, (In Propria Persona), to move this Court to
25 take Action, In this matter for an Appointment
26 of Counsel as the Constitution of the United
27 States Guarantees.
28
29
30
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32
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☐ RECEIVED	☐ COPY
AUG 11 2025	
CLERK U S DISTRICT COURT DISTRICT OF ARIZONA	
BY _____	DEPUTY

1 I'm presently before the Court due to a series
2 of Invalid Deportations and numerous violation
3 of my Rights.

4
5 (1) I was first Deported In March 15, 1999 by
6 an Immigration Judge.

7
8 (2) IF not for this Deportation, I most likely
9 would have gotten Permanent Residence
10 Status, or Citizenship. Because

11
12 (3) I have a Petition (I-130) File on my behalf.

13
14 (4) Instead, this Initial Deportation, Ignited a
15 lengthy series of Subsequent Immigration
16 hearing and Deportations.

17
18 (5) The Initial 1999, Deportation, Has since been
19 recognized by the Government as an Invalid
20 Deportation, in which my "Due Process rights"
21 were violated.

22
23 (6) Similarly, there were "Defects" present In my
24 "2012", Expedited Removal and "2021" Expedited
25 Removal.

26
27 (7) Although these Deportation, Do not Underlie
28 my current present charge, It is Important to
29 "NOTE" that the Only reason, I'm currently
30 "standing" before the Court is "Due" to a
31 "faulty" Immigration hearing in which my
32 rights were substantially violated...
33

(8) If not for the Initial Deportation, I most likely would be a "Permanent Resident, If not a "citizen".

STATEMENT OF FACTS

(1) In 1985, at age 10, My Parents brought me Into the United States from Mexico.

(2) In 1992, My Mother Lucia Gonzalez Arellano, Filed an (I-130) petition to Adjust my status to that of "Lawful Permanent Resident on (April 3, 1992) (Exh # 2),

(3) while waiting for the Outcome of that Petition, (Family Fairness Program) was replace by (The Family Unity Program) and then (the LIFE Act) (2000). My Mother Filed a "New" Petition Under the Program To "Safeguard", me and my "siblings" from "Deportation" (Exh # 16, 17)

(4) I was placed In Removal Proceedings, on (February 12, 1999), when a "Defected" (NTA) Notice to Appear was Issued. (NO DATE, NO TIME OR PLACE), on IT. (Exh # 3)

(5) The Immigration Judge Ordered "me" "removable" and I was subsequently Deported, March 15, 1999, (Exh # 5, 6, 7)...

(6) my "Due Process rights" were substantially violated at this hearing. "In Fact", the Government Conceded the "Invalidity" of.

1 my 1999, Deportation, Due to a Blatant Nature
2 of Violations and the Immense "Prejudice"
3 suffered by me and my family as a Result...
4 (Exh # 9, 10, 12, 13, 14, 15)

5
6 (7) This blatantly Invalid Deportation set off a
7 continuing cycle of Immigration Violations,
8 Immigration hearings and Deportations which
9 brought me, presently before this Court.
10 (Exh. # 8)...

11
12 (8) IF not for this Initial Invalid Deportation,
13 I would in all likelihood have gained
14 "Permanent Residence" status "IF not full
15 citizenship"...

16
17 (9) Even though the Government does not presently
18 rely on my 1999 Deportation as a predicate
19 to my current offense.

20
21 (10) IT is "Exceedingly" Important for the Court
22 to "Understand the "true" depth of "Injustice"
23 which I have had faced "since" my 1999
24 Deportation.

25
26 (11) Although the "1999" Conviction has "No Force"
27 of law in my present Case, It is "directly"
28 responsible for my current presence.
29 (Exh # 19) and (New Evidence) (Exh # 41, 41A)

FACTUAL BACKGROUND

- (1) I was brought to the United States by my Parents in 1985, (I was 10 yrs old)...
- (2) I was "Granted" Admission from "1991" through "1998" Under Family Unity Benefits.
- (3) My Parents are both "Naturalized citizens"
- (4) My (6) Daughters are United States citizens As is his wife.
- (5) On January 27, 1999, I was convicted of possession of a controlled substance In violation of California Health and Safety Code § 11377 in the California {2020 U.S. Dist Lexis 2} Superior Court, of San Diego..
(Exh.#19)(New Evidence)(Exh.#41,41-A).
- (6) On February 4, 2025 this conviction got "Vacated" base on a "Legal Defect" (new Evidence)(Exh.#41, 41-A) An Order of San Diego Superior Court.
- (7) On March 1, 1999, I was Ordered Removed From the United States.
- (8) I was found Inadmissible "Base" on this "Faulty and Defected" Error. (new Evidence) (Exh.#41,41-A) of "Vacatur" Under Penal Code 1473.7 and 1016.5.
violation of 5th, 6th and 14th Amendment.

(9) On May 30, 2010, I was a person that was wrongfully and have been previously Removed from the United States, I was found In the United States without being given express consent for my readmission, accordingly with the Government..

(10) I was allegedly Accused In May 30, 2010 for California Penal Code § 243(e), [Battery to Spouse] a charge an accusation that end up in "NO CONVICTION".. (new Evidence) (Exh.# 40-I (Doc.J))..

A "NO" CONVICTION that Initiated all this prior cases, Related to this one (Exh # 41-0) Letter From District Court Cleric. with case DKTS. Numbers...

a) All "Base" and "Baseless" "Defected Immigration Proceeding & Deportation..

b) A "Defected Error" a "Miscarriage" of Justice, In Criminal Proceedings and Conviction In San Diego Superior Court. (Exh.# 19).. (NEW EVIDENCE) (Exh# 41, 41-A)..

c) A "Defected" (NTA) Notice to Appear. (Exh# 3)

d) And "NO LEGAL BASIS" or "EVIDENCE" To Accuse "me" of Crossing the "Port of Entry" On (October 27, 1997)???

"Falsely Claiming Citizenship"

e) I have challenge the Government Accusation For Over (15 yrs), and for something I have a Right to Challenge as my Constitutional Right.

A constitutional Rights, I have addressed on my priors 28 U.S.C. § 2255 writs Filed for the (first Time) on (January 4, 2019) and (2nd Time) on (2020) and currently file one In case : 3:23-cr-02193-TWR, 3:25-cv-00450-TWR, File on February 25, 2025... (Exh. # 41-I, 41-J, 41-K, 41-L, 41-M, 41-O, 41-P) (NEW EVIDENCE) (Exh. # 41-T, 41-U)

(11) An Accusation that happened Over (26 yrs Ago) On (March 1, 1999) with Out a minimum of "Legal Basis" and "Legal Grounds" An "Obvious "Miscarriage of Justice"--

(12) An Issue that "has" never been "raise" by any of my "Prior" Attorney's Representing me, on "prior" Cases and "Appeals."

(13) For the reason, I claim and have merits to support my (IAC's), violations of "Due PROCESS" and "Actual Innocence" and all my Constitutional Rights mentioned On this writ and prior § 2255's ...

PROCEDURAL BACKGROUND

1
2
3 A) On February 12, 1999, I was release from custody
4 of S.D. County and was "Held" In Detention of (INS).

5
6 I was served with "a Notice to Appear" (NTA)
7 with charges of Violation 212(a)(6)(C)(i) . .
8 of Immigration and Nationality Act. (INA)
9 (Exh# 3) (Exh# 41-B)

10
11 The Government "Alleged" that, I cross or was
12 admitted at S.Y. Port of Entry on (October
13 27, 1997). "Falsely Claiming Citizenship" . . ??

14
15 B) On March 1, 1999, I was Ordered Removed
16 from the United States . .

17
18 I reserve my right to Appeal and Ask the
19 Immigration Judge, IF my custody status
20 Could be "Review" . .

21
22 The Immigration Judge, set the matter,
23 Over for a hearing On March 15, 1999.

24
25 The "Service" (Government) Oppose any Bond
26 Review by the Court . .

27
28 "Base" On "Me" having been Convicted on
29 January 27, 1999 of Possession of a
30 Controlled Substance, In Violation of
31 California Health and Safety Section
32 11377(a). (Exh# 41, 41-A) (41-B)
33

1 I was "wrongfully Deported" On March 15, 1999
 2 "with out" giving In Opportunity to Pursuit
 3 with my Appeal, that was "Due" on
 4 March 30, 1999. ..(Exh # 41-C)...

5 "a substantial Error Committed Against Me".
 6

7
 8 c) On June 7, 2010, I Israel Nava Arellano was
 9 charged by Indictment, with being a Deported
 10 alien found in the United States in
 11 violation of 8 U.S.C. § 1326(a) and (b).
 12 Case 3:10-cr-02700-L (Exh # 9, 10, 12, 13)
 13 (New Evidence) (41-Q) ...

14
 15 d) On August 10, 2010. A Judge Enter an Order
 16 of "Dismissal". (Exh. # 9, 10) ..

17
 18 e) On January 4, 2019, I Filed a Motion
 19 to "Vacate", set aside or correct Sentence
 20 pursuant to 28 U.S.C § 2255 (Exh. # 12)
 21 case. 3:10-cr-02700-L.

22
 23 f) On August 4, 2010. I Israel Nava Arellano
 24 was charged by Indictment with being a
 25 Deported alien Found In the United States
 26 In violation of Title. 8 U.S.C § 1326(a) and (b)
 27 case # - 3:10-cr-03094-L. (New Evidence) (Exh. # 41-Q)

28
 29 g) On November 8, 2010. I filed a Motion to
 30 Dismiss pursuant to § 1326(d) alleging the
 31 Removal upon which the § 1326 charges
 32 relied was "Invalid" Because I Israel Nava
 33 Arellano "Had" Not Executed a Knowing

and Voluntary waiver of Appeal prior to my Removal In March 15, 1999.

H) The Government "Did Not Oppose" the Motion and On December 20, 2010, a Superseding Information was filed alleging, (Two Counts of Illegal Entry) Into the United States In Violation of Title 8, U.S.C. §1325.

(1) misdemeanor and

(1) Felony To which, I was Coerced to Plea "Guilty" (I had claim (IAC) Ineffective Assistant of Counsel In this "Plea".

{ECF No 21-22} case: 3:10-cr-03094-L
(NEW EVIDENCE) (Exh # 41-Q) (Exh # 12, 13)

I) On December 21, 2010, San Diego District Court Sentence Me to (6 months) In custody On each Count to run "concurrently" with a (1 yrs Term) of supervised Release to Follow (Judgment) {ECF No 25}.

J) "I was Remove or "Unlawfully" and "wrongfully" Removed" from the United States. -
{2020 U.S. Dist. Lexis 3} Following my Custodial Sentence. (I claim (IAC) In this Proceedings)
Case: 3:10-cr-03094-L

K) I claim (IAC) Ineffective Assistant of Counsel, In this Proceedings, "Base" On that I "Had" an Outstanding (I-130) File and a "(VISA)" was Available since (June 2008) According to the "Visa" Bulletin Information (Exh # 28)

L) On April 25, 2011, while on Supervised release, I was apprehended, In the United States and a Motion to Revoke Supervised Release was Filed [ECF No. 26] as well a Motion to Dismiss § 1326 (d).

Case: 3:11-cr-02084-AJB

(This case end it On Trial.) and (IAC) Ineffective Assistant of Counsel Claim by "Me".

M) On June 12, 2012, My supervised Release was Revoked and I was sentence to (8 months) In Custody Concurrent with case:

3:10-cr-03094-^{AJB} and 3:11-cr-02084-AJB with "No" supervised Release to Follow Judgment, [ECF No. 52], I was sentence to (12 months) on that case concurrent with (8 months) of Supervised Release Violation (TIME SERVED).

N) On April 26, 2012. (AUSA) Andrew Schoppler Now a current Judge by the San Diego District sent a "Memorandum" to "(ICE)" supervisor, Requesting a New Deportation Against "Me". (Exh # 15).

Now Mr. Schoppler is an active Federal Judge In the Southern District Court of San Diego and Could be Subpoena to "Cross" Examine that "Memorandum" were "He" acknowledge that "Invalidity" of that "1999" Deportation "In Question" as well as that Government Dismissal of Indictment of "Prior" Cases...

(1) 3:10-cr-02700-L (2) 3:10-cr-03094-L
(3) 3:11-cr-02084-AJB.

O) On January 4, 2019, I File my 1st Motion to vacate, set aside or correct sentence Under Title 28 U.S.C § 2255 writ. (Habeas Corpus Motion) - (Exh # 12, 13).

In Case 3:10-cr-02700-L were Judge Ordered Motion as (Moof) Base on that Government Acknowledgment of that "Invalidity" of the "Initial" 1999 Deportation, "Here in Question" On August 10, 2010 (Exh # 12).

P) The District Judge Also Ordered that §2255 To be Filed as "NVNC PRO TUNC" In Case 3:10-cr-03094-L (DKT)(Doc. 68) Dated, April 21, 2021.

A case were a "New Indictment" was Filed Against "Me" with Out my Knowledge? For that Reason I raise the Claim of (IAC) Ineffective Assistant of Counsel, Actual Innocence, Double Jeopardy a violation of Due Process - (Exh # 12, 13).. And More..

Q) The Government Filed On Opposition Response on (2020). -

I needed to Respond by February 20, 2020 (Due Date)...

But, Unfortunately, I Did not received that copy of Government Opposition Response Untill March 1, 2020, (11 days) over the "due date" For me to Respond.

I had (2) Counselors (signatures) On my Legal Mail (Correspondence), of the (date) it was (Delivered), March 1, 2020, by Mr. Orozco and Mr. Castillo of MCC. San Diego, were I was (House) at the (Time)..(New Evidence).

R) I, filed a Motion for an Appointment of Counsel on March 5, 2020, (4 days) after I received that Copy of Government Opposition Response..

I, filed the Motion, with that hope of an Attorney to be appoint to "me", and assist me, with the process of my §2255 writ, Because, I, did "NOT" know, How to Respond to a "late" and "Past" "due", Government Opposition Response..??.

I'm filing this "Motion" for an appointment of "Counsel" Today July, 25, 2025..

Because, I did File that same "Motion" on June 17, 2025, To United States District Court Southern District of California, and Because I was In that same "position", I was on my "Last" §2255 writ Motion 'Back in (2020).

I did not know "How to Respond" to a Government Opposition Response"

(NEW EVIDENCE) (EXH.# 41-W)

5) I, received a copy of a Government Opposition Response on June 16, 2025.

I try to contact that Court office via phone, and both phone call were "rejected", (619) 557-5600 and (619) 557-6361 (Clerk Office) phone number.

I, also call via "speed" dial, posted In the Facility Bulletin Board (2292#) a supervisor Answer, and was "Rude" and "Unprofessional", I, ask for "Her" name and refuse To provide it.

I, Explain that situation as clear as possible and ask, "why", I just barely receive that Government Opposition Response, "when" IT was Filed on May 22, 2025, and that I'm register as a ("PRO-SE"), Petitioner with my current Address. (Here) at this "detention", In Arizona.

She did not Give me a "proper" answer, I also ask, "Untill", "when" or what "DATE", I have to Respond To the Government Opposition Response, and Told "me".

That, IT was "too late" and that IT, was an "Order" made already, a Decision.

I ask, IF she could send me a copy of the "Decision", and she "respond" I have to do the request on writing....

I, Told Her, IT I, was Past "Due" To Respond Already, and by the "Time", I make the

Request In writing to her office, IT would take a least "2 more weeks".

Time I could "Not" afford...

Because, that (BIA) had "affirm" that (IJ) Immigration Judge, "Removal Order", and

The (BIA) Board of Immigration Appeals had made Their "Decision" Final. On May 29, 2025, and with (30 days) to Appeal to the proper Court of Appeals. (Exh # 41-E, 41-F)

"I, Do not" have an "Immigration Lawyer and "defenately" do not" have one helping "Me" with this "matter" at hand. §2255 writ. (New Evidence) (Exh. # 41-U).

T) I, Israel Nava Arellano, is filing this Motion For an Appointment of Counsel, Because.

1) as a Today, "Do not know", Nothing, of "How" to proceed with this §2255. writ.

2) Do not know "How" to proceed with this §2241 petition at hand, And

3) still trying to Figure out, "How" to File an "Emergency" Petition For Review", to the 9th circuit"

To (STOP) that (BIA) and (IJ) Decisions. (The Order of Removal)...

PROCEDURAL BACKGROUND SUMMARY

U) 3:10-cr-02700-L // CLOSED § 2255

Related Cases // 3:19-cv-00032-L

Date Filed // 07/08/2010

Date Terminated // 08/10/2010

Arrested // 06/07/2010

Disposition //

Government Oral Motion to Dismiss
(Granted)

§1326(a)(b)

— "Court Dismiss case without Prejudice"

V) 3:10-cr-03094-L // CLOSED § 2255

Related Cases // 3:20-cv-00135-L

Date Filed // 08/04/2010

Date Terminated // 12/21/2010

Arrested // 06/07/2010

New Indictment // 08/04/2010

Disposition //

— Government Motion To Dismiss
Underlying Court (Granted)

§1326(a)(b)

Appeal // USCA 20-55446

W) 3:11-cr-02084-AJB // CLOSED // SEALED // TRIAL

Related Cases // Appeal USCA 12-50195

Date Filed // 05/25/2011

Date Terminated // 04/27/2012

Arrested // 04/25/2011

Disposition //

"Government Oral Motion To Dismiss"
§1326(a)(b) (Granted)

Appeal // U.S.C.A. 12-50195

X) 3:13-cr-00463-AJB

Related Cases // Appeal USCA 14-50525

Date Filed // 02/06/2013

Date Terminated // 09/09/2016

Arrested // January 2013

Disposition //

"Dismiss By the Government"
(Granted).

§1325 (Felony)

§1326(a)(b)

Appeal // U.S.C.A. 14-50525

Y) 3:17-cr-01507-AJB // CLOSED // RELATED // ^{SEAL/DC} SEALED // TRUMP

Related Cases // Appeal USCA. 18-50424

Date Filed // 06/08/2017

Date Terminated // 06/01/2020

Arrested // 05/15/2017

"
- Dismiss By The Government"

§1325 (Felony)

§1326 (a) (b).

Appeal U.S.C.A. 18-50424
U.S.C.A. 20-50151

Z) 3:23-cr-02193 // CLOSED § 2255

Related Cases // 3:25-cv-00450-TWR

Date Filed //

Date Terminated // February 28, 2024

Date Arrested // September, 30, 2023

Indictment //

Disposition //

"
- Dismiss By the Government"

§1326

§2255

= Order Dismissing with Prejudice
Petition to Vacate Under
28 U.S.C. § 2255.

(I) THE COURT SHOULD EXERCISE ITS DISCRETION
TO APPOINT COUNSEL

Assuming that a "Petitioner" has shown Financial need, a District Court may Appoint Counsel In a Habeas Proceeding Under 28 U.S.C. § 2241 when the "Interest of Justice" so Require" Title 18 U.S.C. § 3006A (a)(2)(B). Court have often examined three elements in determining whether appointment of Counsel is necessary. The likelihood of Success On the merits, the complexity of the "Legal Issues" Involved in the case, and the ability of the "Petitioner" to present the case in light of Its complexity. See, e.g. Weygandt v. Looie, 718 F.2d 952, 954 (9th circuit 1983). Saldina v. Thornburgh, 775 F. Supp. 507, 511 (D. Conn. 1991) Petitioner, Nava Avellano, (Me), I been held In Custody since been Ordered Release In case 3:23-cr-02193-TWR. On February 28, 2024, And Removal in the reasonable foreseeable future is Unlikely "because" an "obvious" "miscarriage" of Justice, "due" to a "faulty" Deportation and "Legal Defects" on my 1999 Deportation Proceedings.

A prejudicial Error, Base upon a "Procedural and substantive defect.

In Light of. (Pereira v. Sessions) 138 S.Ct. 2105, 2114 (June 2018) and

(Niz-chavez v. Garland) 141 S.Ct. 1477, 1480, (2021) Cases in which a "Petitioner" was Ordered Removed by the (BIA) Board of Immigration Appeals "Base" On a Notice to Appear In Removal

1 Proceedings ("NTA") that "did not" contain the
2 "TIME", "DATE" and "PLACE" of the Initial hearing.
3 Before the Immigration Court and, as a result of
4 ("Pereira v. Sessions"), The Immigration Court
5 "Never" had Jurisdiction Over the "Petitioner"
6 Removal Proceedings and the "Petitioner" May
7 Now move to "reconsider" and Terminate
8 Removal Proceedings.

9 And In light of Niz-chavez v. Garland,
10 141 S.Ct. 1474, 1480 (2021) The Court Concluded
11 that, to trigger the "STOP TIME" rule "a" Notice
12 to Appear "Must" be "a" single "document"
13 "Specifying" the "time", "date", and "Place" of the
14 hearing, and "a" non-compliant "Notice" to
15 Appear" missing "time", "date" and "Place"
16 Information "Can not" be "Cured" by a
17 Subsequent "Notice of Hearing" specifying
18 this "Information" or "a" New "Notice to Appear"
19 (NTA)...

20
21 Now Under the Supreme Court Decision In
22 Zadvydas "Petitioner's Continued detention
23 is presumptively unreasonable, Thus, "Petitioner"

24 In this case has a high likelihood of Success
25 on the merits.
26

27
28 Moreover, I, Israel Nava Arellano would
29 Encounter a great difficulty in Presenting
30 my § 2241 habeas Corpus case alone..
31
32
33

The House Report On the predecessor to § 3006A(a)(B) recognized that, Habeas Corpus proceedings often present "serious" and complex "issues of Law" and "Fact" that would necessitate the assistance of Counsel, H.R. Rep. No. 1546, 91st Cong. 2d Sess. (1970), reprinted in 1970 U.S.C.C.A.N. 3982, 3993. In addition, the congressional report on § 3006A(2)(B) stated, that Court should appoint Counsel when "necessary" to Insure a Fair hearing" *Id.*

The complexity of a Habeas case will pose an especially great obstacle for "Petitioner" Israel Nava Arellano, that is currently In Custody and has been Under the United States Government "Official Restrain", since my Initial Encounter with Authorities On September 30, 2023.

"Base On a Substantive and Procedural Defect"
A DEFECTED INVALID DEPORTATION IN (1999)

In Light of the complicated issues involved in a habeas cases, and my Inability to adequately present the case at bar, as well, ~~My~~ My Likelihood of Success on the "Merits".

This Court should exercises It's discretion to appoint Counsel Under the Title 18.U.S.C. § 3006A.(a)(2)(B).

1 II. APPOINTMENT OF COUNSEL IS NECESSARY
2 BECAUSE DISCOVERY IS IMPERATIVE.
3

4 The rules Governing Habeas Proceedings "Require"
5 the appointment of Counsel in certain circumstances.
6

7
8 (1) Under Rule 6(a), Title 28 U.S.C. toll § 2254

9
10 a Judge "must" appoint Counsel for a "Petitioner"
11 if it is "necessary for effective utilization of
12 Discovery procedures", (ICE), (USCIS), Has
13 Information and Documents relevant to "Petitioner"
14 Israel Nava Arellano, Habeas Petition, and without
15 the assistance of Counsel, I, would "not" be able
16 to effectively pursue Discovery and, as a result,
17 will not adequately present his claims.

18
19 The Aid of an Attorney is especially Important
20 in this case, given my lack of Familiarity with,
21 the Legal Procedure Involved In Requesting and
22 obtaining Discovery.

23
24 Moreover, Even IF, I, Israel Nava Arellano were to
25 obtain Documents in Discovery, without the
26 assistance of Counsel, I would Not be Capable of
27 analyzing them, to Determine, my likelihood
28 of being removed in the foreseeable Future.
29
30
31
32
33

1 III. - AN EVIDENTIARY OF MOTION HEARING
 2 MAY BE NECESSARY.

3
 4 Under Rule 8(c), 28 U.S.C. foll § 2254, the Court
 5 is required to Appoint Counsel in a Habeas Proceeding
 6 IF an Evidentiary Hearing is needed.

7
 8 An Evidentiary hearing will likely be necessary
 9 In this case. Regardless of any Other Issues.

10
 11 IF an Evidentiary hearing is scheduled, the
 12 Court "must" Appoint Counsel For "Me"...

13
 14 For the above reason, this Court should Appoint
 15 Counsel to assist Petitioner, In this Instant
 16 Habeas Corpus proceedings, challenging
 17 Government Accusations and Custody In this
 18 case and all prior and related cases, Based
 19 On that "defaulted" (1999) Deportation and
 20 currently Detention by (ICE), (DHS), pursuant
 21 to the AVSA, petition To Initiate a "New
 22 Deportation" After Dismissing my Criminal
 23 Case 3:23-cr-02193-TWR.

24
 25 And AVSA. act of Bad Faith, Has have
 26 Me, Restrain From Liberty...

27 Foot Note:

28
 29 (1) the rules cited in section II and III typically govern those
 30 habeas corpus cases brought Under § 2254. However, these
 31 rules may applied to habeas cases that do not fall Under § 2254
 32 such as Those cases arising under § 2255, § 2241 at the
 33 discretion of the Court Rule 1(b), 28 U.S.C. foll. § 2254.

CUSTODY

(1) I'm in physical Custody of the United States of America and U.S. Immigration and Custom Enforcement ("ICE"),...

I'm Detained at San Luis Regional Detention Center, In the city of San Luis, Arizona.

("ICE") has a contract with San Luis Detention Center. To house, Immigration Detainees and Federal Inmates, such as petitioner Israel Nava Arellano is Under the Direct Control of the United States of America and their Agents.

JURISDICTION

(2) This action arises Under the Constitution of the United States and the Immigration and Nationality Act ("I.N.A"). Title 8. U.S.C. § 1101 et. seq...

As amended by the Illegal Immigration Reform and Immigrant Responsibility Act. of (1996). ("IIRIRA"). pub. L. No 104-208, 110 Stat, 1570, and

The Administrative Procedure Act. ("APA") 5. U.S.C § 701. et. seq..

(3) This Court has Jurisdiction Under Title 28 U.S.C. § 2255 and 28 U.S.C. § 2241, art, 1 § 9, cl. 2 of the United States Constitution, ("Suspension Clause") and Title 28 U.S.C. § 1331 as I'm presently In Custody and Official Restrain, Under Color of the Authority of the United States and such Deprivation of Liberty is In Violation of the Constitution Laws or Treaties of the United States.

This Court may, grant relief pursuant to Title 28 U.S.C. § 2241, Title 5 U.S.C. § 702 and the all Writ Act.

Title 28 U.S.C. § 1651

(4) I have has exhausted any and all Administrative "Remedies" to the Extent Require by Law.

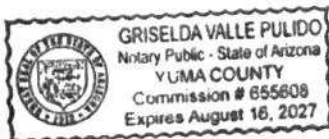
VENUE

(5) Pursuant to Braden v. 30th Judicial circuit Court of Kentucky, 410 U.S. 484, 493 500 (1973).

Venue Lies In the United States District Court of Arizona

The Judicial District In which I, Israel Nava Arellano (Resides), and is In custody of San Luis Regional Detention Center.

1
2 I, Israel Nava Arellano, Declares Under Penalty
3 of Perjury, pursuant to Title 28 U.S.C. § 1746 that
4 I am the "Person" name above associated
5 with the A-number, and Federal Identification
6 Number, This case and all cases Related to,
7 listed above, and that Information Contained
8 In this Document is True and Correct to
9 the Best of my knowledge.
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Israel Nava Arellano
7.29.25

Respectfully Submitted

Israel Nava Arellano

A- [Redacted]
Fed Re [Redacted]

Israel Nava Arellano

Date - July 29, 2025

UNITED STATES DISTRICT COURT

Israel Nava Arellano
(Plaintiff);

v.

David R. Rivas,
(warden)
(Respondant);

Case No:

Date:

PROOF OF SERVICE.

CERTIFICATE.

(1) I, Israel Nava Arellano acting "In Propia Persona" Declare that, I'm Over 18 yrs Old, and that I'm the "Person" named above, associated with the A-Number and Federal Identification Number Listed Above.

(2) I, Israel Nava Arellano, Declares that I'm acting ("In Propia Persona"), In the Best of my Knowledge and Full Capacities.

(3) I, Israel Nava Arellano, Declares Under Penalty of perjury, pursuant to title 28 U.S.C. § 1746, that I'am the "Person" named above, and that everything, In this Document is true and correct.

1
2 (4) I, Israel Nava Arellano, Declare that I'm
3 currently Incarcerated and Detain
4 pursuant to Above case and all Related
5 and associated cases listed above..
6
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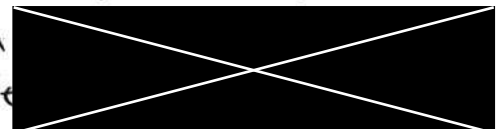
9 I, Israel Nava Arellano, Declare Under Penalty
10 of Perjury, pursuant to title 28 U.S.C. § 1746 that,
11 I am the "person" named above associated with
12 the A-Number and Federal Identification Number
13 listed Above, and that Information Contained In
14 this Document is True and Correct To the Best
15 of my knowledge..
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26 Israel Nava Arellano
27 San Luis Detention Center
28 P.O. Box 7710
29 San Luis AZ. 85349
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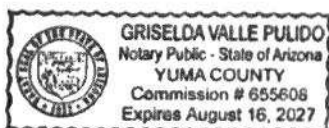
32 cc: related cases
33

Respectfully Submitted
Israel Nava Arellano

A
F


Israel Nava Arellano

Date: July 29, 2025



7.29.25

