

1 **Tuan Quoc Bui**

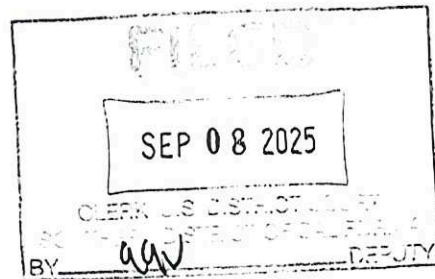
2 A# ~~XXXXXXXXXX~~

3 Otay Mesa Detention Center

4 P.O. Box 439049

5 San Diego, CA 92143-9049

6 Pro Se<sup>1</sup>



7  
8 **UNITED STATES DISTRICT COURT**  
9 **SOUTHERN DISTRICT OF CALIFORNIA**

10 **TUAN QUOC BUI,**

11 **Petitioner,**

12 **v.**

13 **WARDEN, Otay Mesa Detention**  
14 **Facility; FIELD OFFICE DIRECTOR,**  
15 **San Francisco Field Office, United States**  
16 **Immigration and Customs Enforcement;**  
17 **DIRECTOR, United States Immigration**  
18 **and Customs Enforcement;**  
19 **SECRETARY, United States Department**  
20 **of Homeland Security; and UNITED**  
21 **STATES ATTORNEY GENERAL,**

22 **Respondents.**

CIVIL CASE NO.: 25-CV-2111-JES

**Motion for Appointment  
of Counsel**

23 Tuan Quoc Bui respectfully moves this court to appoint Federal Defenders  
24 of San Diego, Inc., as counsel for petitioner. Mr. Bui has a strong claim to release  
25 under *Zadvydas v. Davis*, 533 U.S. 678 (2001). But *Zadvydas* cases are complex,  
26 implicating constitutional, statutory, regulatory, and immigration law.  
27 Additionally, an evidentiary hearing is sometimes required to resolve *Zadvydas*  
28 petitions. For these reasons, **Federal Defenders of San Diego, Inc. is routinely**

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<sup>1</sup> Mr. Bui is filing this motion for appointment of counsel with the assistance of the Federal Defenders of San Diego, Inc. Federal Defenders has consistently used this procedure in seeking appointment for immigration habeas cases. The Declaration of Katie Hurrelbrink in Support of Appointment Motion attaches case examples.

1 appointed to represent immigrants in bringing *Zadvydas* claims. See Exhibit  
2 A, ¶¶ 2–3. This Court should follow that practice and appoint Federal Defenders  
3 of San Diego, Inc. to represent Mr. Bui in this habeas case.

#### 4 STATEMENT OF FACTS

5 **I. Mr. Bui has been detained for a cumulative 9 months, and ICE**  
6 **has proved unable to remove him for over 7 years.**

7 Mr. Bui has lived in the United States since 1975. Exh. B at ¶ 1. That was  
8 the year that communist forces from the Democratic Republic of Vietnam (North  
9 Vietnam) overran Saigon, the capital of the Republic of Vietnam (South  
10 Vietnam). Britannica, *Fall of Saigon*, [https://www.britannica.com/event/Fall-of-](https://www.britannica.com/event/Fall-of-Saigon)  
11 *Saigon*. By the time the Republic of Vietnam fell, Mr. Bui’s mother—a South  
12 Vietnamese woman—had married a U.S. serviceman. Exh. B at ¶ 1. The family  
13 moved back to the United States, and Mr. Bui and his mother obtained green  
14 cards. *Id.*

15 In 2015, Mr. Bui was convicted of possession for sale of MDMA. *Id.* at ¶ 2.  
16 (The case arose from events occurring even earlier, in 2009. *Id.*) Mr. Bui was  
17 subsequently ordered removed in May 2018. *Id.* ICE held Mr. Bui for five months.  
18 *Id.* Unable to obtain travel documents for him, they released him on an order of  
19 supervision. *Id.*

20 Mr. Bui remained on release for the next 7 years. *Id.* at ¶ 3. During that time,  
21 he never missed a check in with ICE. *Id.* He picked up no new criminal convictions.  
22 *Id.* And he worked steadily as the finance manager for Long Beach Honda in  
23 Orange County. *Id.*

24 Four months ago, Mr. Bui checked in with ICE as scheduled. *Id.* at ¶ 4. He  
25 was detained. *Id.* The arresting agents told Mr. Bui that the Trump administration  
26 had ordered the arrest. *Id.*



1 Mr. Bui soon landed at Otay Mesa Detention Center. *Id.* at ¶ 5. While there,  
2 an ICE agent told him that ICE had applied for a travel document from Vietnam,  
3 but the request was rejected. *Id.* at ¶ 6.

4 **II. Vietnam has a longstanding policy of not accepting Vietnamese**  
5 **immigrants who entered before 1995.**

6 There is an obvious reason why ICE cannot remove Mr. Bui: Vietnam has a  
7 longstanding policy of not accepting pre-1995 Vietnamese immigrants for  
8 deportation. Vietnam and the United States signed the operative repatriation treaty  
9 in 2008. The treaty exempted pre-1995 Vietnamese immigrants, providing,  
10 “Vietnamese citizens are not subject or return to Vietnam under this Agreement if  
11 they arrived in the United States before July 12, 1995.” Agreement Between the  
12 United States of America and Vietnam, at 2 (Jan. 22, 2008).<sup>2</sup>

13 Despite that limit, the first Trump administration detained Vietnamese  
14 immigrants and held them for long periods of time, while the administration tried  
15 to pressure Vietnam to take them. *See* First Amended Habeas Corpus Class  
16 Action Petition and Class Action Complaint, *Trinh v. Johnson*, 18-CV-316-CJC-  
17 GJS, Dkt. 27 (May 11, 2018).<sup>3</sup> Eventually, in 2020, the administration secured a  
18 Memorandum of Understanding (“MOU”) with Vietnam, which created a process  
19 for removing pre-1995 Vietnamese immigrants.<sup>4</sup> The MOU limited such removals  
20 to persons meeting certain criteria, but many these criteria have been shielded  
21 from public view. *See Nguyen v. Scott*, No. 2:25-CV-01398, 2025 WL 2419288,  
22 at \*14 (W.D. Wash. Aug. 21, 2025).

23  
24 <sup>2</sup> available at [https://www.state.gov/wp-content/uploads/2019/02/08-322-Vietnam-](https://www.state.gov/wp-content/uploads/2019/02/08-322-Vietnam-Repatriations.pdf)  
25 [Repatriations.pdf](https://www.state.gov/wp-content/uploads/2019/02/08-322-Vietnam-Repatriations.pdf)

26 <sup>3</sup> available at  
27 [https://static1.squarespace.com/static/5f0cc12a064e9716d52e6052/t/6101c5798e7](https://static1.squarespace.com/static/5f0cc12a064e9716d52e6052/t/6101c5798e7c3856610233fb/1627506041756/Trinh+-+Doc+27+First+Amended+Complaint.pdf)  
28 [c3856610233fb/1627506041756/Trinh+-](https://static1.squarespace.com/static/5f0cc12a064e9716d52e6052/t/6101c5798e7c3856610233fb/1627506041756/Trinh+-+Doc+27+First+Amended+Complaint.pdf)  
[+Doc+27+First+Amended+Complaint.pdf](https://static1.squarespace.com/static/5f0cc12a064e9716d52e6052/t/6101c5798e7c3856610233fb/1627506041756/Trinh+-+Doc+27+First+Amended+Complaint.pdf).

<sup>4</sup>[https://cdn.craft.cloud/5cd1c590-65ba-4ad2-a52c-](https://cdn.craft.cloud/5cd1c590-65ba-4ad2-a52c-b55e67f8f04b/assets/media/ALC-FOIA-Re-Release-MOU-bates-1-8-8-10-21.pdf)  
[b55e67f8f04b/assets/media/ALC-FOIA-Re-Release-MOU-bates-1-8-8-10-21.pdf](https://cdn.craft.cloud/5cd1c590-65ba-4ad2-a52c-b55e67f8f04b/assets/media/ALC-FOIA-Re-Release-MOU-bates-1-8-8-10-21.pdf).

1 Even after signing the MOU, Vietnam overwhelmingly declined to timely  
2 issue travel documents for pre-1995 immigrants. By October 2021, ICE had  
3 adopted a “policy of generally finding that ‘pre-1995 Vietnamese  
4 immigrants’ . . . are not likely to be removed in the reasonably foreseeable  
5 future.” Order on Joint Motion for Entry of Stipulated Dismissal, *Trihn*, 18-CV-  
6 316-CJC-GJS, Dkt. 161 at 3 (C.D. Cal. Oct. 7, 2021).<sup>5</sup> That admission aligned  
7 with two years’ worth of quarterly reports that ICE agreed to submit as part of a  
8 class action settlement. Those quarterly reports showed that between September  
9 2021 and September 2023, only four immigrants who came to the U.S. before  
10 1995 were given travel documents and deported. Asian Law Caucus, *Resources*  
11 *on Deportation of Vietnamese Immigrants Who Entered the U.S. Before 1995* (Jul.  
12 15, 2025) (providing links to all quarterly reports).<sup>6</sup> During the same period, ICE  
13 made 14 requests for travel documents that, as of 2023, had not been granted,  
14 including requests made months or years before the September 2023 cutoff. *See*  
15 *id.* (proposed counsel’s count based on quarterly reports).

16 On June 9, 2025, the Trump administration rescinded ICE’s policy of  
17 generally finding that pre-1995 Vietnamese immigrants were not likely to be  
18 removed in the reasonably foreseeable future. *See Nguyen v. Scott*, No. 2:25-CV-  
19 01398, 2025 WL 2419288, at \*7 (W.D. Wash. Aug. 21, 2025).

20 **III. Because detention has decimated Mr. Bui’s savings, he does not**  
21 **have the money to hire an attorney.**

22 Though Mr. Bui is now in custody, his bills have not gone away. He has  
23 continued paying rent to keep his apartment. Exh. B at ¶ 7. And he has kept up with  
24 credit card bills and car payments to avoid ruining his credit. *Id.* At first, he paid  
25

26 <sup>5</sup>  
27 <https://static1.squarespace.com/static/5f0cc12a064e9716d52e6052/t/618e99e5613d7372c1bb197e/1636735461479/Trinh+-+Doc+161+Order+Granting+Stip+Dismissal.pdf>.

28 <sup>6</sup> <https://www.asianlawcaucus.org/news-resources/guides-reports/trinh-reports>



1 out of his savings, but those have been depleted. *Id.* He now relies on friends to fill  
2 the gaps. *Id.* Meanwhile, Long Beach Honda has remained supportive. *Id.* at ¶ 8. It  
3 has not terminated his employment, and he can begin work again upon release. *Id.*  
4 But while he is in custody, he has no way to pay a lawyer. *Id.* at ¶ 9.

5 Accordingly, Mr. Bui requests that this Court appoint the Federal  
6 Defenders of San Diego, Inc., to represent him in the instant habeas action. That  
7 office stands ready and able to assist Mr. Bui with his habeas litigation.

#### 8 ARGUMENT

9 “Habeas corpus proceedings are of fundamental importance . . . in our  
10 constitutional scheme because they directly protect our most valued rights.”  
11 *Brown v. Vasquez*, 952 F.2d 1164, 1169 (9th Cir. 1991) (quoting *Bounds v. Smith*,  
12 430 U.S. 817, 827 (1977)) (citations and internal quotations omitted).  
13 Consequently, federal law permits a district court to appoint counsel in a habeas  
14 proceeding under 28 U.S.C. § 2241 when the “interests of justice so require,” if a  
15 Petitioner has shown that he is unable to afford an attorney. 18 U.S.C.  
16 § 3006A(a)(2)(B). To make this decision, this Court must “evaluate [1] the  
17 likelihood of success on the merits as well as [2] the ability of the Petitioner to  
18 articulate his claims pro se in light of the complexity of the legal issues involved.”  
19 *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983); accord *Rand v. Rowland*,  
20 113 F.3d 1520, 1525 (9th Cir. 1997).

21 Mr. Bui is likely to succeed on the merits of his claim, but he will be unable  
22 to effectively articulate his claims without assistance. And he cannot afford to  
23 retain paid counsel to litigate his petition for a writ of habeas corpus under 28  
24 U.S.C. § 2241. Thus, the appointment of counsel is appropriate.

#### 25 A. Mr. Bui will likely succeed on the merits.

26 *Zadvydas v. Davis*, 533 U.S. 678 (2001), held that federal law does not  
27 authorize the government to detain an immigrant indefinitely pending removal. 533  
28

1 Rather, 8 U.S.C. § 1231(a)(6) presumptively permits the government to detain an  
2 immigrant for 180 days after their removal order becomes final. After those 180  
3 days have passed, the immigrant must be released unless their removal is  
4 reasonably foreseeable. *Zadvydas*, 533 U.S. at 701.

5 Thus, 180 days after a removal order becomes final, an immigrant facing  
6 indefinite detention may come forward with “good reason to believe that there is  
7 no significant likelihood of removal in the reasonably foreseeable future.” *Id.* If  
8 the immigrant meets their initial burden, “the Government must respond with  
9 evidence sufficient to rebut that showing.” *Id.* Otherwise, the immigrant must be  
10 released. *See id.*

11 Here, the six-month removal period has long since ended. The *Zadvydas*  
12 grace period lasts for “*six months* after a final order of removal—that is, *three*  
13 *months* after the statutory removal period has ended.” *Kim Ho Ma v. Ashcroft*, 257  
14 F.3d 1095, 1102 n.5 (9th Cir. 2001). Here, Mr. Bui’s order of removal was entered  
15 in May 2018. Exh. B at ¶ 2. Accordingly, his 90-day removal period began then. 8  
16 U.S.C. § 1231(a)(1)(B). The *Zadvydas* grace period thus expired six months after  
17 the entry of his removal order and three months after the end of his 90-day removal  
18 period, both of which occurred in November 2018. Thus, this threshold requirement  
19 is met.

20 The government has sometimes proposed calculating the removal period  
21 differently where, as here, an immigrant is released and then rearrested. But these  
22 proposed alternative calculations contradict the statute and *Zadvydas*.

23 *First*, the government has sometimes argued that release and rearrest resets  
24 the six-month grace period completely, taking the clock back to zero.  
25 “Courts . . . broadly agree” that this is not correct. *Diaz-Ortega v. Lund*, 2019 WL  
26 6003485, at \*7 n.6 (W.D. La. Oct. 15, 2019), *report and recommendation adopted*,  
27 2019 WL 6037220 (W.D. La. Nov. 13, 2019); *see also Sied v. Nielsen*, No. 17-CV-  
28 06785-LB, 2018 WL 1876907, at \*6 (N.D. Cal. Apr. 19, 2018) (collecting cases).



1 This proposal would create an obvious end run around *Zadvydas*, because ICE  
2 could detain an immigrant indefinitely by releasing and quickly rearresting them  
3 every six months.

4 *Second*, the government has sometimes claimed that rearrest at least resets  
5 the 90-day removal period under 8 U.S.C. § 1231(a)(1). *See, e.g., Farah v. INS*, No.  
6 Civ. 02-4725(DSD/RLE), 2003 WL 221809, at \*5 (D. Minn. Jan. 29, 2013)  
7 (adopting this view). But as a court explained in *Bailey v. Lynch*, that view cannot  
8 be squared with the statutory definition of the removal period in 8 U.S.C.  
9 § 1231(a)(1)(B). No. CV 16-2600 (JLL), 2016 WL 5791407, at \*2 (D.N.J. Oct. 3,  
10 2016). “Pursuant to the statute, the removal period, and in turn the [six-month]  
11 presumptively reasonable period, begins from the latest of ‘the date the order of  
12 removal becomes administratively final,’ the date of a reviewing court’s final order  
13 where the removal order is judicially removed and that court orders a stay of  
14 removal, or the alien’s release from detention or confinement where he was detained  
15 for reasons other than immigration purposes at the time of his final order of  
16 removal.” *Id.* (quoting 8 U.S.C. § 1231(a)(1)). None of these statutory starting  
17 points have anything to do with whether or when an immigrant is detained. *See id.*  
18 Because the statutorily-defined removal period has nothing to do with release and  
19 rearrest, releasing and rearresting the immigrant cannot reset the removal period.

20 Having passed the six-month threshold, Mr. Bui has provided a very good  
21 reason to believe that he will not be removed. As explained above, Vietnam has  
22 overwhelmingly denied pre-1995 Vietnamese immigrants’ travel document  
23 requests, even after the MOU was signed. And ICE has had 7 years total, 5 of them  
24 under the MOU, to try to remove Mr. Bui. He has been checking in as scheduled  
25 and was therefore available to assist with seeking travel documents. Yet ICE has  
26 not been able to obtain travel documents for him. Faced with similar facts, several  
27 courts have granted habeas petitions on behalf of pre-1995 Vietnamese immigrants  
28 just in the last few months. *See Nguyen v. Scott*, No. 2:25-CV-01398, 2025 WL

1 2419288, at \*17 (W.D. Wash. Aug. 21, 2025); *Hoac v. Becerra*, No. 2:25-CV-  
2 01740-DC-JDP, 2025 WL 1993771, at \*4 (E.D. Cal. July 16, 2025); *Nguyen v.*  
3 *Hyde*, No. 25-CV-11470-MJJ, 2025 WL 1725791, at \*5 (D. Mass. June 20, 2025).

4 Like these petitioners, Mr. Bui is likely to succeed on the merits. ICE is  
5 free to keep trying to remove Mr. Bui, but not while he waits indefinitely in  
6 detention.

7 **B. Mr. Bui cannot adequately articulate his claims in the absence of**  
8 **counsel, in light of the complexity of the legal issues involved in**  
9 **his habeas petition.**

10 In deciding whether a petitioner needs a lawyer's assistance to effectively  
11 litigate his habeas petition, a court must measure "the [petitioner]'s ability to  
12 articulate his claims against the relative complexity of the matter." *Rand*, 113  
13 F.3d at 1525. In addition, counsel may be appointed during federal habeas  
14 proceedings if the appointment of an attorney is "necessary for the effective  
15 utilization of discovery procedures . . . [or] if an evidentiary hearing is required."  
16 *Weygandt*, 718 F.2d at 954 (cleaned up).

17 *Zadvydas* cases involve complex legal issues grounded in constitutional  
18 law, statutory interpretation, administrative procedure, and habeas law. *See*  
19 Attachments to Exh. A (describing complexities in appointing counsel). They also  
20 implicate immigration law. The Ninth Circuit has declared that "[w]ith only a  
21 small degree of hyperbole, the immigration laws have been deemed second only  
22 to the Internal Revenue Code in complexity." *United States v. Ahumada-Aguilar*,  
23 295 F.3d 943, 950 (9th Cir. 2002) (citations and internal quotations omitted). "A  
24 lawyer is often the only person who could thread the labyrinth." *Id.*

25 Mr. Bui lacks the means and training to navigate this labyrinth on his own.  
26 As explained above, detention has decimated Mr. Bui's savings. He has no money  
27 to pay an attorney.  
28




1 Nor does Mr. Bui have the legal training or internet access needed to litigate  
2 this motion on his own. Exh. B at ¶ 10. Resources readily available on the internet  
3 reveal the significant legal hurdles to removing Mr. Bui, as described above. But  
4 Mr. Bui does not have free access to the internet. *Id.* at ¶ 11. And because he does  
5 not have legal training, he did not know what facts were important for a *Zadvydas*  
6 claim. He therefore included very few details about his own case (including, e.g.,  
7 an ICE officer's statements that a travel document request had been denied), and  
8 nothing about the treaties directly applicable to his claim, in his pro se petition. Nor  
9 was he able to find the recent, prior cases cited above, where courts had released  
10 Vietnamese detainees just like him. This illustrates that Mr. Bui cannot effectively  
11 litigate this *Zadvydas* petition alone. Exh. A at ¶ 4.

12 Additionally, professional assistance may be "necessary for the effective  
13 utilization of discovery procedures" in this case. *Weygandt*, 718 F.2d at 954. In  
14 order to prove his eligibility for *Zadvydas* relief, Mr. Bui may well need to view  
15 evidence in the government's possession—for example, communications between  
16 ICE and the Vietnamese governments or internal paperwork documenting ICE's  
17 removal efforts. *See, e.g., Lopez-Cacerez v. McAleenan*, No. 19-CV-1952-AJB-  
18 AGS, 2020 WL 3058096, at \*4 n.1 (S.D. Cal. June 9, 2020) (relying on ICE's  
19 "internal documentation" to reject ICE's noncooperation defense and find that the  
20 petitioner was fully cooperating with ICE's efforts to remove him). Mr. Bui would  
21 likely have to litigate his entitlement to any such discovery, because at least some  
22 courts have required immigrants to show good cause before obtaining discovery in  
23 a habeas case. *See Toolasprashad v. Tryon*, No. 12CV734, 2013 WL 1560176, at  
24 \*2 (W.D.N.Y. Apr. 11, 2013) (collecting cases). Moreover, Mr. Bui is entitled to  
25 an evidentiary hearing on any material factual disputes, *Owino v. Napolitano*, 575  
26 F.3d 952, 956 (9th Cir. 2009), meaning that "an evidentiary hearing [may be]  
27 required." *Weygandt*, 718 F.2d at 954. Those considerations also support the need  
28 for appointment of counsel. *See id.*

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DATED: 9/5/2025

  
 TUAN QUOC BUI  
 Petitioner



**PROOF OF SERVICE**

I, the undersigned, caused to be served the within Motion for Appointment of

Counsel by hand delivery to:

U.S. Attorney's Office, Southern District of California  
Civil Division  
880 Front Street  
Suite 6253  
San Diego, CA 92101

Date: 9/8/2025

/s/ Katie Hurrelbrink  
Katie Hurrelbrink

# **Exhibit A**



1 **Tuan Quoc Bui**

2 A# 

3 Otay Mesa Detention Center

4 P.O. Box 439049

5 San Diego, CA 92143-9049

6 Pro Se<sup>1</sup>

7  
8 **UNITED STATES DISTRICT COURT**  
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17 **DIRECTOR, United States Immigration**  
18 **and Customs Enforcement;**  
19 **SECRETARY, United States Department**  
20 **of Homeland Security; and UNITED**  
21 **STATES ATTORNEY GENERAL,**

22 **Respondents.**

CIVIL CASE NO.: 25-CV-2111-JES

**Declaration of Katie Hurrelbrink**  
**in Support of**  
**Motion for Appointment**  
**of Counsel**

23  
24  
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27 <sup>1</sup> Mr. Bui is filing this motion for appointment of counsel with the assistance of  
28 the Federal Defenders of San Diego, Inc. Federal Defenders has consistently used  
this procedure in seeking appointment for immigration habeas cases, as explained  
in this declaration.

- 1  
2 1. My name is Katie Hurrelbrink. I am an appellate attorney at Federal  
3 Defenders of San Diego, Inc. In that capacity, I was assigned to  
4 investigate Mr. Bui's immigration habeas case to determine whether—in  
5 keeping with longstanding district practice—Federal Defenders should  
6 seek to be appointed as counsel.
- 7 2. In this district, Federal Defenders is regularly appointed to handle  
8 *Zadvydas* petitions for those who meet the six-month cutoff.  
9 Traditionally, Federal Defenders helps the detainee prepare an initial  
10 habeas petition and appointment motion, and the court formally appoints  
11 Federal Defenders in the course of reviewing the petition. I received a  
12 referral to assist Mr. Bui only after Mr. Bui had already filed a  
13 petition. I therefore determined that I should seek appointment now, in  
14 hopes of assisting Mr. Bui with his traverse.
- 15 3. This declaration attaches several orders appointing Federal Defenders to  
16 *Zadvydas*-based habeas cases. The oldest order is from 2006 and the  
17 most recent is from 2024.
- 18 4. To ensure that counsel was needed, I reviewed Mr. Bui's pro se motion.  
19 I noticed that Mr. Bui had not provided important information about his  
20 case, like a statement from an OMDIC ICE agent that his travel  
21 document request had been denied. I also noticed that Mr. Bui did not at  
22 all allude to the various treaties preventing most pre-1995 Vietnamese  
23 immigrants from being deported—treaties that should be at the forefront  
24 of any *Zadvydas* claim on behalf of this group. It is therefore apparent to  
25 me that Mr. Bui needs help adequately articulating his *Zadvydas* claim.  
26  
27  
28



1 I declare under penalty of perjury that the foregoing is true and correct,  
2  
3 executed on September 6, 2025, in San Diego, California.  
4

5 /s/ Katie Hurrelbrink

6 **KATIE HURRELBRINK**

7 Declarant  
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# Exhibit B



1 **Tuan Quoc Bui**

2 A#

3 Otay Mesa Detention Center

4 P.O. Box 439049

5 San Diego, CA 92143-9049

6 Pro Se<sup>1</sup>

7  
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15 **San Francisco Field Office, United States**  
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17 **DIRECTOR, United States Immigration**  
18 **and Customs Enforcement;**  
19 **SECRETARY, United States Department**  
20 **of Homeland Security; and UNITED**  
21 **STATES ATTORNEY GENERAL,**

22 **Respondents.**

**CIVIL CASE NO.: 25-CV-2111-JES**

**Declaration of Tuan Quoc Bui**  
**in Support of**  
**Motion for Appointment**  
**of Counsel**

23 I, Tuan Quoc Bui, declare:

24 1. My name is Tuan Quoc Bui. I have been in the United States since 1975.

25 My mother was married to an American serviceman. Both my mom and I  
26 had green cards.

27 <sup>1</sup> Mr. Bui is filing this motion for appointment of counsel with the assistance of  
28 the Federal Defenders of San Diego, Inc. Federal Defenders has consistently used  
this procedure in seeking appointment for immigration habeas cases. The  
Declaration of Katie Hurrelbrink in Support of Appointment Motion attaches case  
examples.

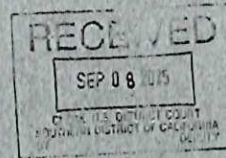
2. In 2015, I was convicted of selling MDMA. (The case arose from events in 2009.) I was ordered removed in May 2018. I was in detention for five months. But ICE eventually released me, because they could not obtain travel documents for me.
3. For the next 7 years, I was released on conditions. I was never arrested and I never missed a check in. I was employed as a finance manager for a card dealership in Orange County throughout this time, except for the COVID years. (I found another job during COVID, when my dealership shut down.)
4. Four months ago, I went to my yearly check-in with ICE. ICE detained me. ICE agents said that the Trump administration told them they had to.
5. I have been detained ever since. I am currently detained at OMDC.
6. An ICE agent at OMDC once talked to me about my case. She told me that ICE had requested a travel document from Vietnam, but the request has been denied.
7. Detention is an extraordinary hardship for me. I am currently paying my rent, my car payments, and my credit cards to ensure that I do not ruin my credit. My savings are completely depleted. I must rely on help from friends to pay my expenses.
8. My employer has remained supportive. I am still currently employed at the dealership—my employment has not been terminated—and the dealership says that I can have my job back as soon as I get out.
9. Because my savings are depleted, I have no money to hire a lawyer.
10. I have no legal training. I was only able to file my petition with help from an organization, which provided pro bono resources. I do not have a good understanding of the law that applies to my case. I also do not know almost anything about immigration law.
11. I do not have free access to the internet at my facility, which makes it much harder to research information about Vietnam.

1 I declare under penalty of perjury that the foregoing is true and correct,  
2 executed on 9/5/2025, in San Diego, California.  
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5 TUAN QUOC BUI  
6 Declarant  
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TUAN QUOC BUI  
A#   
Otay Mesa Detention Center  
P.O. Box 439049  
San Diego, CA 92143-9049



OFFICE OF THE CLERK  
880 FRONT STREET  
ROOM 4290  
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