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**IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF ARIZONA**

David Salaryzadeh,

Petitioner,

vs.

David R. Rivas, Warden, et al.,

Respondents.

No.

**Motion for Appointment of Counsel  
Under 18 U.S.C. § 3006A(a)(2)(B)**

Simultaneously with this document, Mr. Salaryzadeh has filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241. In this petition, he asserts that he is likely stateless, such that his removal to either Germany or Iran is not likely in the reasonably foreseeable future, and as a result that his continued detention in immigration custody violates the Due Process Clause of the Fifth Amendment. Because he is almost certain to prevail on this claim, he respectfully asks the Court to appoint Assistant Federal Public Defender Keith Hilzendeger to assist him in litigating his petition. Mr. Hilzendeger has spoken with Mr. Salaryzadeh at his place of incarceration, and reports that Mr. Salaryzadeh has agreed to accept representation if the Court should appoint counsel.

Under 18 U.S.C. § 3006A(a)(2)(B), this Court may appoint counsel for any person who is seeking relief under 28 U.S.C. § 2241. Mr. Salaryzadeh is seeking relief under that provision. The Ninth Circuit has said that a court should appoint counsel under this provision if the petitioner is likely to succeed on his petition and to have difficulty “articulat[ing] his claims *pro se* in light of

the complexity of the legal issues involved.” *Weygandt v. Look*, 718 F.2d 952, 954 (9th Cir. 1983) (per curiam). Although Mr. Salaryzadeh is fluent in English, he lacks the legal training and knowledge to articulate these claims, which involve the intersection of two complex areas of law—habeas and immigration law. Nor does he have the wherewithal to litigate these claims from his jail cell, where he has neither access to a law library nor the documents necessary to refute the government’s case for continued detention. And for the reasons set forth in the accompanying motion for a preliminary injunction, he is almost certain to succeed on this claim. Mr. Salaryzadeh thus respectfully asks the Court to appoint Assistant Federal Public Defender Keith Hilzendeger to assist him in this matter.

Respectfully submitted:

September 9, 2025.

JON M. SANDS  
Federal Public Defender

s/Keith J. Hilzendeger  
KEITH J. HILZENDEGER  
Assistant Federal Public Defender  
*Attorney for Petitioner Salaryzadeh*