UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION

YORDAN ROMAY VALDES
A# [redacted]
Petitioner,

v.

PAM BONDI
Attorney General;
KRISTI NOEM
Secretary of Department of Homeland Security;
HOMER BRYSON
U.S. ICE Field Office Director For The Middle District of Georgia Field Office, and Warden **STREEVAL** of Immigration Detention Facility,
Respondent(s)

Civil Action No:_____

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

Petitioner, **YORDAN ROMAY VALDES**, hereby petitions this Court for appointment of Counsel to assist him in his Habeas Corpus petition. In support of his Habeas Corpus petition and complaint for injunctive relief he is incorporating this Motion for appointment of Counsel. Petitioner re-alleges everything stated in the Habeas Corpus submitted with this motion and also alleges as follows:

I. The Court should Excercise It's Discretion to Appoint Counsel

assuming that a Petitioner has shown financial need, a District Court mat appoint Counsel in a Habeas proceeding under 28 U.S.C. §3006A(a)(2)(B). Courts have often examined 3 eliments when determining whether appoint 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, eg., **Weygandt v. Look**, 718 F.2d 952, 954 (9th Cir. 1983); **Saldina v. Thornburgh** 775 F. Supp. 507, 511 (D. Conn. 1991.)

Moreover, Petitioner would encounter great difficulty in presenting this Habeas Corpus case alone. The house report on the predecessor to § 3006A(a)(2)(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(a)(B) stated that a Court

should appoint Counsel when **"necessary to ensure a fair hearing."** Id The complexity of a Habeas Case will pose an especially great obstacle for petitioner if he is not appointed Counsel to represent him as it is already unfair to be put against such educated and well versed individuals as the ones holding him in custody such as DHS/ICE.

In light of the complicated issues involved in Habeas Corpus proceedings and Petitioner's inability to adequately present the case at bar, as well as Petitioner's likelihood of success on the merits, this Court should exercise it's discretion to appoint Counsel under 18 U.S.C. §3006a(a)(B).

II. Appointment of Counsel is Necessary Because Discovery is Imperative

The rules governing Habeas proceedings require appointment of Counsel in certain circumstances. Under rule 6(a), 28 U.S.C. Foll. §2254, a Judge must appoint counsel for a petitioner if it is necessary for effective utilization of discovery procedures." ICE has information and documentation relevant tp petitioner's Habeas petition, and without assistance of Counsel, Petitioner will not be able to effectively pursue discovery and, as a result, will not adequately present his claims. The aid of an Attorney is especially important in this case given the Petitioner's lack of familiarity with the legal procedures involved in requesting and obtaining discovery. Moreover, even if Petitioner were to obtain documents in discovery, without the assistance of Counsel, Petitioner would not be capable of analyzing them properly to determine the likelihood of being removed in the foreseeable future.

III. An Evidentiary Hearing or Motions Hearing May be Necessary

Under rule 6(c), 28 U.S.C. Foll. §2254, the Court is required to appoint counsel in a Habeas proceeding if an evidentiary hearing is needed. An evidentiary hearing will likely be necessary in this case. Regardless of any other issues, if an evidentiary hearing is scheduled, the Court must appoint counsel for Petitioner.

For the above reasons, the Court should appoint counsel to assist Petitioner in instant Habeas proceedings challenging Petitioner's detention by ICE, pursuant to the Supreme Court decision in **Zadvydas** and **Martinez**..

The rules cited in section II and III typically govern those Habeas Corpus cases brought under §2254.

However, these rules may be applied to Habeas cases that do not fall under §2254- such as those cases arising under §2241- at the discretion of the Court, Rule 1(b). U.S.C. Foll §2254.

CERTIFICATE OF OATH

I Swear under Penalty of Perjury from the United States of America if this Motion is found to be false, frivolous, or made in bad faith. I also sweat that this motion is true to the best of my knowledge.

I further state that this motion is not a copy of a motion that has been ruled on nor has it been deposed of by this Court.

I Swear that this motion has been prepared by Jidier Saavedra of Immigration Connection **and everything that is said in the following motion is true.**

Person who prepared motion for Petitioner:

x_____ Jidier Saavedra October 16 -2025

x_____

October- 16, 2025

Printed name: **YORDAN ROMAY VALDES**

DETAINED A# [redacted]

Stewart Detention Center

146 CCA Rd.

Lumpkin, GA 31815