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FEBRUARY 19, 2026  
CLERK US DISTRICT COURT  
DISTRICT OF ARIZONA  
BY s/J.Baggs DEPUTY

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

In the matter of  
  
APPOINTMENT OF THE FEDERAL  
PUBLIC DEFENDER FOR THE PURPOSE  
OF SCREENING AND FILING PETITIONS  
FOR WRITS OF HABEAS CORPUS  
UNDER 28 U.S.C. § 2241 ON BEHALF OF  
PERSONS DETAINED IN IMMIGRATION  
CUSTODY

GENERAL ORDER 26-05

Pursuant to the provisions of the Criminal Justice Act, 18 U.S.C. § 3006A(a)(2)(B), and to facilitate the efficient handling of habeas corpus petitions filed under 28 U.S.C. § 2241 on behalf of immigration detainees with final orders of removal under 8 U.S.C. § 1231, IT IS HEREBY ORDERED:

1. The Federal Public Defender for the District of Arizona is hereby provisionally appointed to represent any individual who meets the following criteria:
  - a. The individual has contacted the Federal Public Defender seeking representation in connection with a habeas corpus petition.
  - b. The individual is detained in the District of Arizona.
  - c. The individual is detained-or there is a good-faith argument to be made that the individual is detained-pursuant to a final order of removal as defined by 8 U.S.C. § 1231.

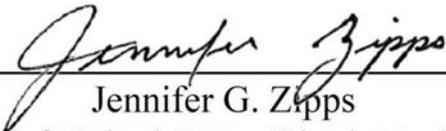
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- d. The individual is, or appears to be, financially eligible for representation.
  - e. The individual has one or more colorable claims to relief that are cognizable under 28 U.S.C. § 2241.
2. While provisionally appointed, the Federal Public Defender is authorized to:
    - a. determine whether filing a habeas petition is appropriate;
    - b. prepare and file any such petition and related motions or applications, as deemed necessary; and
    - c. present such matters to the Court for disposition.
  3. The filing fee for any petition prepared under the provisional appointment is provisionally waived. The Federal Public Defender will submit a sworn statement from the petitioner that demonstrates the petitioner's financial eligibility for appointment of counsel.
  4. When the Federal Public Defender files a petition under the provisional appointment, the Court will screen the petition under 28 U.S.C. § 2243. If the Court calls for a response to the petition, the Court will confirm the appointment and fee waiver at that time. If the Court is not satisfied that the petitioner is financially eligible for appointment of counsel, the Court may relieve the Federal Public Defender, order payment of the filing fee, or request additional financial information.
  5. The Court may also appoint the Federal Public Defender to represent pro se immigration detainees who are seeking relief under § 2241 who are detained pursuant to a final order of removal under 8 U.S.C. § 1231. The Federal Public Defender is provisionally appointed to screen these cases, seek appointment of counsel when appropriate, and seek leave to file supplemental briefing or an amended petition.
  6. Nothing in this order limits the Court's authority under 18 U.S.C. § 3006A(a)(2) to appoint the Federal Public Defender to handle other habeas

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corpus cases brought by immigration detainees under § 2241 when the interests of justice so require.

Dated this 19<sup>th</sup> day of February 2026.

  
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Jennifer G. Zipp  
Chief United States District Judge