

NOT FOR PUBLICATION

FILED

UNITED STATES COURT OF APPEALS

AUG 31 2026

FOR THE NINTH CIRCUIT

MOLLY C. DWYER, CLERK
U.S. COURT OF APPEALS

ZACHARY ARTHUR KAKAR,

Petitioner - Appellant,

v.

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF ARIZONA,
TUCSON, named as United States District
Court of Arizona,

Respondent - Appellee.

No. 25-5286

D.C. No.

4:25-cv-00253-SHR--JR

MEMORANDUM*

Appeal from the United States District Court
for the District of Arizona
Scott H. Rash, District Judge, Presiding

Submitted August 25, 2026**

Before: SILVERMAN, N.R. SMITH, and DE ALBA, Circuit Judges.

Zachary Arthur Kakar appeals pro se from the district court's judgment
dismissing his 28 U.S.C. § 2241 habeas corpus petition. We have jurisdiction

* This disposition is not appropriate for publication and is not precedent
except as provided by Ninth Circuit Rule 36-3.

** The panel unanimously concludes this case is suitable for decision
without oral argument. *See* Fed. R. App. P. 34(a)(2).

under 28 U.S.C. § 1291. We review de novo, *see Alaimalo v. United States*, 645 F.3d 1042, 1047 (9th Cir. 2011), *abrogated on other grounds by Jones v. Hendrix*, 599 U.S. 465 (2023), and we affirm.

Kakar contends that the court erred by failing to consider the merits of his claims, which were properly raised in a § 2241 petition. However, because he affirmatively represented to the court that the petition was incorrectly filed and he filed a § 2255 motion raising identical claims, the court did not err in dismissing the petition as inadvertently filed. *See Hunter v. U.S. Dep’t of Educ.*, 115 F.4th 955, 963 (9th Cir. 2024) (“[A] party ‘may not complain on review of errors below for which he is responsible.’” (quoting *Sovak v. Chugai Pharm. Co.*, 280 F.3d 1266, 1270 (9th Cir. 2002))); *see also Slack v. McDaniel*, 529 U.S. 473, 478 (2000) (district courts “retain broad powers to prevent duplicative or unnecessary litigation”).

The request to establish custody timeline and apply jail credits is denied.

AFFIRMED.