

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Tatiana Skvortsova, by next friend Zakhar Inker v. Pamela Bondi, et
al.

Skvortsova · No. 26-cv-0073-AGS-SBC · Decided February 2, 2026

SUMMARY

The United States District Court for the Southern District of California denied Zakhar Inker’s request to proceed as next friend for his detained sister, Tatiana Skvortsova, in a habeas corpus action under 28 U.S.C. § 2241. The court held that Inker failed to provide evidence that Skvortsova was unable to litigate her own case, as required for next-friend standing. The petition was dismissed without prejudice, the case was closed, and the court permitted a renewed next-friend motion or notice from Skvortsova by February 23, 2026.

CASE DETAILS

COURT	United States District Court for the Southern District of California
WRITING FOR THE COURT	Andrew G. Schopler
JURISDICTION	United States District Court for the Southern District of California
DECIDED	February 2, 2026
DOCKET	26-cv-0073-AGS-SBC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner, acting through her brother as a purported next friend, sought a writ of habeas corpus under 28 U.S.C. § 2241 to challenge immigration detention. The court denied the request to proceed through a next friend and dismissed the petition without prejudice for lack of standing.
STANDARD OF REVIEW	The putative next friend bears the burden of clearly establishing the propriety of next-friend status and satisfying the requirements for next-friend standing.
PRECEDENTIAL VALUE	unknown
PARTIES	Tatiana Skvortsova, by next friend Zakhar Inker v. Pamela Bondi, et al.

TOPICS

immigration detention

standing

removal proceedings

civil procedure

PRACTICE AREAS

immigration

civil procedure

constitutional law

QUESTIONS PRESENTED

1. Whether Zakhar Inker established that Tatiana Skvortsova was unable to litigate her own habeas case, as required for next-friend standing.
2. Whether, absent valid next-friend authorization, the petition should be dismissed for lack of standing.

HOLDINGS

1. A putative next friend must provide meaningful evidence that the petitioner is unable to litigate her own case because of mental incapacity, lack of access to court, or a similar disability; detention and restricted communication alone do not satisfy that requirement.
2. Without next-friend authorization, a person who files a habeas petition on behalf of another lacks standing to bring the suit, requiring dismissal without prejudice.

KEY QUOTATIONS

“In order to establish next-friend standing, the putative next friend must show: (1) that the petitioner is unable to litigate [her] own cause due to mental incapacity, lack of access to court, or other similar disability; and (2) the next friend has some significant relationship with, and is truly dedicated to the best interests of, the petitioner.” (at 1)

“Because it contravenes the normal concepts of Article III standing, the “burden is on the ‘next friend’ clearly to establish the propriety of his status and thereby justify the jurisdiction of the court.”” (at 1)

FACTUAL BACKGROUND

Tatiana Skvortsova was in immigration detention and sought habeas relief under 28 U.S.C. § 2241. Her brother, Zakhar Inker, attempted to litigate the petition as her next friend. He presented no information or meaningful evidence showing that Skvortsova was mentally incapacitated, lacked access to court, or otherwise could not litigate her own case.

PROCEDURAL HISTORY

Zakhar Inker filed the habeas petition on behalf of his detained sister, Tatiana Skvortsova, and sought authorization to litigate as her next friend. The district court found that Inker presented no information showing that Skvortsova was unable to litigate her own case, denied next-friend authorization, dismissed the action without prejudice for lack of standing, and directed the Clerk to close the case. The court permitted Inker to file an updated motion or Skvortsova to notify the court that she would pursue the petition herself, in which event the case could be reopened.

DISPOSITION

dismissed

CASES CITED

- Whitmore v. Arkansas, 495 U.S. 149, 163-64 (1990)
- Coalition of Clergy, Laws., & Professors v. Bush, 310 F.3d 1153, 1159-60 (9th Cir. 2002)
- Dennis ex rel. Butko v. Budge, 378 F.3d 880, 889 (9th Cir. 2004)
- Florez Perez v. Bondi, No. 25-cv-3820-AGS-MSB, 2026 WL 59785, at *1 (S.D. Cal. Jan. 7, 2026)
- Pinson v. Blanckensee, 834 F. App'x 427, 428 (9th Cir. 2021)
- United States v. Shatswell, No. 2:12-cr-00271-TLN-CKD-1, 2020 WL 529196, at *2 (E.D. Cal. Feb. 3, 2020), report and recommendation adopted, No. 2:12-cr-00271-TLN-CKD-1, 2020 WL 2216957 (E.D. Cal. May 7, 2020)

OPINION

1 UNITED STATES DISTRICT COURT 2 SOUTHERN DISTRICT OF CALIFORNIA 3 Tatiana SKVORTSOVA, by next friend Case No.: 26-cv-0073-AGS-SBC Zakhar Inker, 4 ORDER DENYING REQUEST TO Petitioner, ACT AS NEXT FRIEND (ECF 1) 5 v. 6 Pamela BONDI, et al., 7 Respondents. 8 9 Petitioner Tatiana Skvortsova, through her brother Zakhar Inker, seeks a writ of 10 habeas corpus under 28 U.S.C. § 2241 to free her from immigration detention.

But Inker 11 has not presented enough information to meet his burden to act as Skvortsova's "next 12 friend," so his request must be denied. The petition is dismissed for lack of standing. 13 An "[a]pplication for a writ of habeas corpus shall be in writing signed and verified 14 by the person for whose relief it is intended or by someone acting in [her] behalf." 15 28 U.S.C. § 2242 (emphasis added).

But such "'next friend' standing is by no means 16 granted automatically to whomever seeks to pursue an action on behalf of another." 17 Whitmore v. Arkansas, 495 U.S. 149, 163 (1990). "In order to establish next-friend 18 standing, the putative next friend must show: (1) that the petitioner is unable to litigate 19 [her] own cause due to mental incapacity, lack of access to court, or other similar disability; 20 and (2) the next friend has some significant relationship with, and is truly dedicated to the 21 best interests of, the petitioner." Coalition of Clergy, Laws., & Professors v. Bush, 310 F.3d 22 1153, 1159–60 (9th Cir.

2002). Because it contravenes the normal concepts of Article III 23 standing, the "burden is on the 'next friend' clearly to establish the propriety of his status 24 and thereby justify the jurisdiction of the court." Whitmore, 495 U.S. at 164. 25 Inker's request falters at the first prong—petitioner's inability to litigate the case on 26 her own. He doesn't offer any information suggesting that his sister is unable to litigate her 27 own case.

And the fact that she's detained does not alone suffice to meet this burden 28 1 because every habeas case involves garden-variety detention and restricted 2 communication, as habeas petitions always involve petitioners who are in custody. See 3 generally 28 U.S.C. §§ 2241 & 2242; see also *Dennis ex rel. Butko v. Budge*, 378 F.3d 880, 4 889 (9th Cir. 2004) ("The putative next friend must present meaningful evidence that 5 petitioner is suffering from a mental disease, disorder, or defect that substantially affects 6 his capacity to make an intelligent decision." (cleaned up)).

Given the complete lack of 7 evidence, the Court must deny the motion for Inker to litigate this action as a "next friend." 8 Cf. *Florez Perez v. Bondi*, No. 25-cv-3820-AGS-MSB, 2026 WL 59785, at *1 (S.D. Cal. 9 Jan. 7, 2026) (granting motion to act as next friend because of the petitioner's "limited 10 English proficiency," which the next friend swore was "insufficient to understand or 11 litigate federal habeas corpus procedure," and the petitioner had "no access to legal 12 research tools, law library resources, or federal procedural materials" (cleaned up)).

13 Without next-friend authorization, Inker lacks standing to bring this suit, and it must 14 be dismissed without prejudice. See *Pinson v. Blanckensee*, 834 F. App'x 427, 428 (9th Cir. 15 2021) (holding the "district court properly dismissed the action" because the putative next 16 friend "failed to meet the requirements for next-friend standing under § 2242" and as "a 17 non-attorney, cannot represent others in court"); see also *United States v. Shatswell*, No. 18 2:12-cr-00271-TLN-CKD-1, 2020 WL 529196, at *2 (E.D.

Cal. Feb. 3, 2020) ("[W]hen 19 the application for habeas corpus filed by a would be 'next friend' does not set forth an 20 adequate reason or explanation of the necessity for resort to the 'next friend' device, the 21 court is without jurisdiction to consider the petition."), report and recommendation 22 adopted, No. 2:12-cr-00271-TLN-CKD-1, 2020 WL 2216957 (E.D.

Cal. May 7, 2020). 23 The Clerk is directed to close this case. But by February 23, 2026, Inker may file 24 an updated motion to proceed as next friend or Skvortsova may file notice that she intends 25 to pursue the petition in her own capacity. If either occurs, the Clerk will reopen the case. 26 27 28 1 || Dated: February 2, 2026 3 Hon. rew G. Schopler 4 United States District Judge 5 6 7 8 9 10 11 12 13 14 15 16 17 18 19 20 21 22 23 24 25 26 27 28