

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
CALIFORNIA

Prokopev v. LaRose et al.

Case No. 25-cv-3441-JES-MSB (S.D. Cal. Dec. 10, 2025) · No. 25-cv-3441-JES-MSB · Decided December 10,
2025

OPINION

Prokopev

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 SOUTHERN DISTRICT OF CALIFORNIA

10 11 NIKITA PROKOPEV, Case No.: 25-cv-3441-JES-MSB 12 Petitioner, ORDER: 13 v.

(1) GRANTING MOTION TO

14 CHRISTOPHER LAROSE; GREGORY

PROCEED IN FORMA PAUPERIS; ARCHAMBEAULT; KRISTI NOEM; 15

and PAMELA BONDI,

(2) REQUIRING A RESPONSE TO

16 Respondents. THE PETITION FOR WRIT OF 17 HABEAS CORPUS; 18

(3) SETTING BRIEFING

19 SCHEDULE; AND

20

(4) STAYING REMOVAL OF

21 PETITIONER TO PRESERVE

JURISDICTION

22 23 [ECF Nos. 1, 2] 24 25 Before the Court is Petitioner Nikita Propokev’s (“Petitioner”) Petition for Writ of 26 Habeas Corpus pursuant to 28 U.S.C. § 2241. ECF No. 1. Concurrently, Petitioner also 27 filed a completed application to proceed in forma pauperis in which he attests he has no 28 means to pay the \$5.00 filing fee. ECF No. 2. Accordingly, the Court GRANTS 1 || Petitioner’s motion to proceed in forma pauperis. The Clerk shall file the Petition for a Writ 2 ||of Habeas Corpus without prepayment of the filing fee. 3 Respondents are hereby ORDERED TO SHOW CAUSE as to why the Petition 4 should not be granted by filing a written Response by December 15, 2025. Petitioner MAY 5 || FILE an optional Traverse in support of the Petition by December 17, 2025. 6 To preserve the Court’s jurisdiction pending a ruling in this matter, Petitioner shall 7 ||not be removed from the United States or this District unless and until the Court orders 8 || otherwise. See Doe v. Bondi, Case. No. 25-cv-805-BJC-JLB, 2025 WL 1870979 at *2 (S.D.

9 June 11, 2025) (“Federal courts retain jurisdiction to preserve the status quo while
10 || determining whether it has subject matter jurisdiction over a case and while a petition is 11 ||
pending resolution from the court.”) (citing cases); A.M. v. LaRose et al., 25-cv-01412, 12 ||ECF
No. 2 (S.D. Cal. June 4, 2025) (“Pursuant to Petitioner’s request for a Temporary 13 || restraining
order, the Court hereby (1) RESTRAINS and ENJOINS Respondents, their 14 || agents,
employees, successors, attorneys, and all persons in active concert and participation 15 || with
them, from removing Petitioner A.M. from the United States or this District pending 16 || further
order of this Court’); see also A.A.R.P v. Trump, 605 U.S. 91, 97 (2025) (finding 17 federal courts
have “the power to issue injunctive relief to prevent irreparable harm to 18 || the applicant and to
preserve [] jurisdiction over the matter.”); Nguyen v. Scott, No. 2:25- 19 || CV-01398, 2025 WL
2097979, at *3 (W.D. Wash. July 25, 2025) (enjoining the 20 || Respondents from removing
Petitioner without approval from the court). 21 IT IS SO ORDERED. 22 || Dated: December 10,
2025 23 “ur Sin, 24 Honorable James E. Sunmons Jr. 5 United States District Judge 26 27 28