

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Mikhail Lebedev v. Warden of the Golden State Annex Detention
Facility, et al.

Lebedev v. Warden · No. 1:25-cv-01391-KES-SAB · Decided December 7, 2025

SUMMARY

The United States District Court for the Eastern District of California appoints the Federal Defender to represent an immigration detainee in a 28 U.S.C. § 2241 habeas action. The court also directs the parties to propose a briefing schedule concerning the motion for a temporary restraining order and prohibits transferring the petitioner outside the district pending further order.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	December 7, 2025
DOCKET	1:25-cv-01391-KES-SAB
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner, an immigration detainee proceeding pro se, filed a petition for a writ of habeas corpus under 28 U.S.C. § 2241 and a motion for a temporary restraining order. After preliminary review, the court appointed counsel and entered interim case-management and jurisdiction-preservation orders.
STANDARD OF REVIEW	Preliminary review under Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254, as applied to the § 2241 petition pursuant to Rule 1(b).
PRECEDENTIAL VALUE	Unpublished district court order; nonprecedential
PARTIES	Mikhail Lebedev v. Warden of the Golden State Annex Detention Facility, et al.

TOPICS

- immigration detention
- federal habeas corpus
- injunctions
- immigration
- remedies

PRACTICE AREAS

Immigration detention

Federal habeas corpus

Civil procedure

Remedies

QUESTIONS PRESENTED

1. Whether counsel should be appointed for a self-represented immigration detainee in a § 2241 habeas action involving complex legal issues.
2. Whether the court should temporarily prohibit respondent from transferring petitioner outside the judicial district to preserve the court's jurisdiction over the pending § 2241 petition.

HOLDINGS

1. Because the legal issues were complex and the interests of justice warranted representation, the court appointed the Federal Defender to represent petitioner.
2. To preserve its jurisdiction over the pending § 2241 petition, the court prohibited respondent from transferring petitioner to another detention center outside the judicial district pending further order.

KEY QUOTATIONS

“issue all writs necessary or appropriate in aid of their respective jurisdictions....” (at 1)

“to preserve the court’s jurisdiction or maintain the status quo by injunction pending review of an agency’s action” (at 1)

FACTUAL BACKGROUND

Mikhail Lebedev is an immigration detainee representing himself in a federal habeas action. He filed a petition under 28 U.S.C. § 2241 and a motion for a temporary restraining order. The court found that the legal issues were sufficiently complex and that the interests of justice warranted appointment of counsel.

PROCEDURAL HISTORY

Lebedev filed a § 2241 habeas petition and a motion for a temporary restraining order while representing himself. The magistrate judge authorized him to proceed in forma pauperis, and the district court conducted preliminary review under Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 2254. The court appointed the Federal Defender, directed service and submission of a proposed briefing schedule, and prohibited transfer of petitioner outside the district pending further order.

DISPOSITION

other

CASES CITED

- Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983)
- F.T.C. v. Dean Foods Co., 384 U.S. 597, 604 (1966)

OPINION

Mikhail Lebedev v. Warden of the Golden State Annex Detention Facility, et al.

PER CURIAM.

1 2 3 4 5

6 UNITED STATES DISTRICT COURT

7 EASTERN DISTRICT OF CALIFORNIA

8

9 MIKHAIL LEBEDEV, No. 1:25-cv-01391-KES-SAB

10 Petitioner,

11 v. ORDER APPOINTING COUNSEL

12 WARDEN OF THE GOLDEN STATE

ANNEX DETENTION FACILITY, et al., 13 Respondents. 14 15 16 17 Petitioner, an immigration detainee who is representing himself, filed a petition for a writ 18 of habeas corpus pursuant to 28 U.S.C. § 2241, Doc. 1, and a motion for temporary restraining 19 order, Doc. 11. The assigned magistrate judge authorized petitioner to proceed in forma pauperis 20 without prepayment of the filing fee in this action. See Doc. 3. 21 The Court has conducted a preliminary review of the petition and motion for temporary 22 restraining order pursuant to Rule 4 of the Rules Governing Habeas Corpus Cases Under Section 23 2254.1 In light of the complexity of the legal issues involved, the Court has determined that the 24 interests of justice warrant the appointment of counsel for petitioner. See 18 U.S.C. 25 § 3006A(a)(2)(B); see also Weygandt v. Look, 718 F.2d 952, 954 (9th Cir. 1983). 26 27 1 Rule 1(b) of the Rules Governing Habeas Corpus Cases Under Section 2254 allows a district court to apply any or all of the rules to other types of habeas corpus petitions including § 2241 28 petitions. 1 In accordance with the above, IT IS HEREBY ORDERED that: 2 1. The Federal Defender is appointed to represent petitioner. 3 2. The Clerk of the Court shall serve a copy of this order on the Federal Defender, 4 | Attention: Habeas Appointment. 5 3. Additionally, the Clerk of the Court shall serve a copy of this Order together with a 6 | copy of petitioner’s application for a writ of habeas corpus pursuant to 28 U.S.C. § 2241 on the 7 | United States Attorney. 8 4. The parties are directed to meet and confer within 4 days from the date of this order for 9 | the purpose of submitting a joint proposed briefing schedule on the motion for temporary 10 | restraining order. Petitioner’s counsel may file an amended petition and motion for temporary 11 | restraining order, if necessary. 12 5. The parties shall submit a joint proposed briefing schedule by filing it on the docket no 13 | later than 7 days from the date of this order. 14 6. In order to ensure this Court’s jurisdiction to resolve the pending § 2241 petition, 15 | respondent shall not transfer petitioner to another detention center outside of this judicial district, 16 || pending further order of the court. See 28 U.S.C. § 1651(a) (establishing the All Writs Act which 17 || empowers the federal courts to “issue all writs necessary or appropriate in aid of their respective 18 | jurisdictions....”); see also F.T.C. v. Dean Foods Co., 384 U.S. 597, 604 (1966) (emphasizing 19 | that federal courts have the power to “to preserve the court’s jurisdiction or

maintain the status quo by injunction pending review of an agency's action"). 21

92 | IT IS SO ORDERED. _

23 Dated: _ December 7, 2025 4h

UNITED STATES DISTRICT JUDGE

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