

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

OPINION

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

PER CURIAM.

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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 20 | 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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