

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
TEXAS, BROWNSVILLE DIVISION

Anna Tokareva v. Warden, El Valle Detention Center

Tokareva · No. 1:26-CV-309 · Decided April 1, 2026

SUMMARY

The United States District Court for the Southern District of Texas dismissed Anna Tokareva’s petition for a writ of habeas corpus challenging her continued immigration detention. The court adopted the magistrate judge’s recommendation, finding no clear error and dismissing the petition without prejudice as premature.

CASE DETAILS

COURT	United States District Court for the Southern District of Texas, Brownsville Division
WRITING FOR THE COURT	Fernando Rodriguez, Jr.
JURISDICTION	United States District Court for the Southern District of Texas, Brownsville Division
DECIDED	April 1, 2026
DOCKET	1:26-CV-309
DISPOSITION	dismissed
PROCEDURAL POSTURE	Petitioner sought habeas relief challenging her continued immigration detention after an Immigration Judge issued an October 2025 removal order. The district court reviewed a magistrate judge's Report and Recommendation recommending dismissal without prejudice as premature.
STANDARD OF REVIEW	When no timely objection is filed to a magistrate judge's Report and Recommendation, the district court reviews the record for clear error before accepting the recommendation.
PRECEDENTIAL VALUE	unpublished district court order; precedential status not identified in the source
PARTIES	Anna Tokareva v. Warden, El Valle Detention Center

TOPICS

immigration detention

removal proceedings

immigration

civil procedure

remedies

PRACTICE AREAS

immigration

habeas corpus

QUESTIONS PRESENTED

1. Whether the habeas petition challenging Tokareva's continued immigration detention should be dismissed without prejudice as premature.
2. Whether the district court should adopt the magistrate judge's Report and Recommendation when no party filed timely objections.

HOLDINGS

1. When no timely objection is filed, the district court need only determine whether there is clear error on the face of the record before accepting the recommendation.
2. The petition for a writ of habeas corpus challenging continued immigration detention was dismissed without prejudice as premature.

KEY QUOTATIONS

““When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.””

FACTUAL BACKGROUND

Anna Tokareva was detained by Immigration and Customs Enforcement at the El Valle Detention Center in Willacy County, Texas. An Immigration Judge issued an order of removal in October 2025. Tokareva challenged her continued custody in a habeas action.

PROCEDURAL HISTORY

Anna Tokareva filed a habeas petition challenging her continued custody at the El Valle Detention Center. A magistrate judge recommended dismissal without prejudice as premature. No party objected, and the district court found no clear error, adopted the Report and Recommendation, dismissed the petition without prejudice, and directed the Clerk to close the case.

DISPOSITION

dismissed

CASES CITED

- *Zadvydas v. Davis*, 533 U.S. 678, 688 (2001)

OPINION

Southern District of Texas ENTERED UNITED STATES DISTRICT COURT April 01, 2026
SOUTHERN DISTRICT OF TEXAS Nathan Ochsner, Clerk BROWNSVILLE DIVISION
ANNA TOKAREVA, § Petitioner,: VS.: CIVIL ACTION NO. 1:26-CV-309 WARDEN, EL
VALLE DETENTION CENTER,: Respondent. ORDER Petitioner Anna Tokareva is currently
detained by Immigration and Customs Enforcement at the El Valle Detention Center in Willacy
County, Texas.

In this habeas action, Petitioner challenges her continued custody after an Immigration Judge issued an order of removal in October 2025. A United States Magistrate Judge recommends that the Petition be dismissed without prejudice as premature. (R&R, Doc. 7 (citing *Zadvydas v. Davis*, 533 U.S. 678, 688 (2001))) No party filed objections to the Report and Recommendation. “When no timely objection is filed, the court need only satisfy itself that there is no clear error on the face of the record in order to accept the recommendation.” FED.

R. Civ. P. 72(b), Advisory Comm. Note (1983). The Court has reviewed the Report and Recommendation and finds no clear error within it. As a result, the Court ADOPTS the Report and Recommendation (Doc. 7). It is: ORDERED that Petitioner Anna Tokareva’s Petition for Writ of Habeas Corpus (Doc. 1) is DISMISSED WITHOUT PREJUDICE.

The Clerk of Court is directed to close this case... Co" Signed on April 1, 2026. 5 [> fi di, □□
Fernando Rodriguez, Jr. United States District Judge 1/1