

UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF
GEORGIA, WAYCROSS DIVISION

Iakov Ankudinov v. Warden, Folkston ICE Processing Facility

Ankudinov · No. 5:25-cv-227 · Decided February 6, 2026

SUMMARY

The United States District Court for the Southern District of Georgia orders service of Iakov Ankudinov’s 28 U.S.C. § 2241 habeas petition on the Warden and relevant federal officials. The order sets deadlines for the respondent’s answer and the petitioner’s reply, addresses required detention records, and establishes procedures for any motion seeking interim relief.

CASE DETAILS

COURT	United States District Court for the Southern District of Georgia, Waycross Division
JURISDICTION	United States District Court for the Southern District of Georgia, Waycross Division
DECIDED	February 6, 2026
DOCKET	5:25-cv-227
DISPOSITION	other
PROCEDURAL POSTURE	Initial screening and service order on a petition for a writ of habeas corpus under 28 U.S.C. § 2241 challenging immigration detention.
STANDARD OF REVIEW	Under Rule 4, the court must dismiss the petition if it plainly appears from the petition and attached exhibits that the petitioner is not entitled to relief. Because that conclusion did not plainly appear, the court directed service.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Iakov Ankudinov v. Warden, Folkston ICE Processing Facility

TOPICS

- immigration detention
- federal habeas corpus
- service of process
- removal proceedings
- civil procedure

PRACTICE AREAS

- immigration detention
- federal habeas corpus
- civil procedure
- remedies

QUESTIONS PRESENTED

1. Whether the § 2241 petition should be dismissed at the initial Rule 4 screening stage.
2. What service, answer, record-production, and response procedures should govern the habeas proceeding.
3. What showing a petitioner must make to obtain interim release from immigration detention while the habeas petition is pending.

HOLDINGS

1. Because it did not plainly appear that Petitioner was not entitled to habeas relief, the court declined to dismiss the petition at the screening stage and ordered service.
2. The court directed service of the petition and order on the Attorney General, the respondent warden, and the civil process clerk for the United States Attorney's Office, and required the respondent to file an answer within seven business days addressing the allegations and certifying the true cause of detention.
3. A petitioner seeking release from detention while the habeas petition is pending must demonstrate both a likelihood of success on the merits of a substantial constitutional claim and extraordinary and exceptional circumstances making release necessary to preserve the effectiveness of the requested habeas relief.

KEY QUOTATIONS

“I find that it does not plainly appear that Petitioner is not entitled to relief.”

“Importantly, a petitioner who seeks release from detention while the Petition is pending must demonstrate in the motion for interim relief: (1) a likelihood of success on the merits of a substantial constitutional claim; and (2) extraordinary and exceptional circumstances exist that make release necessary to preserve the effectiveness of the habeas corpus relief sought.”

FACTUAL BACKGROUND

Iakov Ankudinov filed a federal habeas petition concerning his detention at the Folkston ICE Processing Facility. The order indicates that the petition may seek or implicate interim relief involving removal, transfer within the United States, or release from detention, but the court did not decide the merits of those requests.

PROCEDURAL HISTORY

Petitioner filed a § 2241 habeas petition. After reviewing the petition under Rules 1(b) and 4 of the Rules Governing Section 2254 Cases, the court directed service on the Attorney General, the respondent warden, and the United States Attorney's Office, and established deadlines for an answer, reply, and any motions.

DISPOSITION

other

CASES CITED

- Wilcox v. Ford, 813 F.2d 1140 (11th Cir. 1987)
- Gomez v. United States, 899 F.2d 1124 (11th Cir. 1990)
- Wilson v. Sec’y, Dep’t of Corr., No. 17-10060-D, 2017 WL 11815408 (11th Cir. May 10, 2017)
- Mapp v. Reno, 241 F.3d 221, 225 (2d Cir. 2001)

OPINION

IN THE UNITED STATES DISTRICT COURT FOR THE SOUTHERN DISTRICT OF GEORGIA WAYCROSS DIVISION IAKOV ANKUDINOV, Petitioner, CIVIL ACTION NO.: 5:25-cv-227 v. WARDEN, FOLKSTON ICE PROCESSING FACILITY, Respondent. O RDE R Service of the Petition. I have reviewed Petitioner’s 28 U.S.C. § 2241 Petition for Habeas Corpus Relief. I find that it does not plainly appear that Petitioner is not entitled to relief.

See Rules 1(b) and 4 of the Rules Governing Section 2254 Cases. Therefore, the Court directs the United States Marshal to serve a copy of the Petition, doc. 1, and a copy of this Order by registered or certified mail upon: (1) the Attorney General of the United States; (2) the named Warden-Respondent; and (3) the civil process clerk at the office of the United States Attorney for the Southern District of Georgia.

See Fed. R. Civ. P. 4(i). The Court DIRECTS the Clerk of Court to provide a courtesy copy of this Order and the Petition to the United States Attorney’s Office at: Bradford.Patrick@usdoj.gov; Woelke.Leithart@usdoj.gov; and Keveya.Sturkey@usdoj.gov. Answer Due in 7 Days.

The Warden-Respondent must file an answer to the Petition within 7 business days of the date of this Order. See, e.g., 28 U.S.C. § 2243. The Answer must address the allegations in the Petition, certify the true cause of the detention, and show cause why the Petition should not be granted.

The Answer shall constitute a return for the purposes of 28 U.S.C. § 2243, as long as it certifies the true cause of detention. Counsel for the Warden- Respondent shall provide all relevant records, including orders, recordings, transcripts, and other records from ICE, that are available to counsel at the time of the Answer. Counsel shall promptly supplement the answer with any additional records that counsel obtains after filing the Answer.

The Warden-Respondent will be permitted to file additional motions, including a motion to dismiss, within 21 days of filing the Answer. Reply Due in 3 Days. Petitioner shall file any desired Reply to the Answer within 3 days of the date the Answer is served. Petitioner shall file any desired response to a motion to dismiss within 14 days of service. Requests for Interim Relief.

This Petition will be resolved in the ordinary course. Recently, petitioners in similar circumstances have sought various forms of interim relief, including a prohibition on the petitioner’s removal from the United States, a prohibition on ICE from transferring the petitioner from one detention

facility to another within the United States, and interim release from detention while the habeas petition is pending.

To the extent Petitioner is requesting interim relief, Petitioner shall file an independent motion titled “Motion for Interim Relief” separate from the Petition. Petitioner should not make a request for interim relief in the body of the Petition or in a request for preliminary injunctive relief (e.g., a motion for temporary restraining order or a motion for preliminary injunction, or motion for order to show cause).

The Warden-Respondent shall file a response to any motion for interim relief within 7 days of the date the motion is served. If there is a motion currently pending, the Warden-Respondent shall file a response to that Motion within 7 days of the date of this Order. Importantly, a petitioner who seeks release from detention while the Petition is pending must demonstrate in the motion for interim relief: (1) a likelihood of success on the merits of a substantial constitutional claim; and (2) extraordinary and exceptional circumstances exist that make release necessary to preserve the effectiveness of the habeas corpus relief sought.

See, e.g., *Wilcox v. Ford*, 813 F.2d 1140 (11th Cir. 1987); *Gomez v. United States*, 899 F.2d 1124 (11th Cir. 1990); and *Wilson v. Sec’y, Dep’t of Corr.*, No. 17-10060-D, 2017 WL 11815408, at *1 (11th Cir. May 10, 2017); see also *Mapp v. Reno*, 241 F.3d 221, 225 (2d Cir. 2001). SO ORDERED, this 6th day of February, 2026. BO UNITED STATES MAGISTRATE JUDGE SOUTHERN DISTRICT OF GEORGIA