

UNITED STATES DISTRICT COURT FOR THE EASTERN DISTRICT OF
CALIFORNIA

Anton A. Iagounov v. AUSA, FBI, etc.

Iagounov · No. 2:25-cv-1258 CSK P · Decided July 11, 2025

SUMMARY

The court recommends dismissal without prejudice of a federal prisoner’s 28 U.S.C. § 2241 habeas action because he failed to file an application to proceed in forma pauperis or otherwise respond to the court’s order. The magistrate judge also directs the Clerk to assign a district judge and advises the petitioner that failing to object may waive appellate rights.

CASE DETAILS

COURT	United States District Court for the Eastern District of California
WRITING FOR THE COURT	Chi Soo Kim
JURISDICTION	United States District Court for the Eastern District of California
DECIDED	July 11, 2025
DOCKET	2:25-cv-1258 CSK P
DISPOSITION	other
PROCEDURAL POSTURE	Petitioner, a federal prisoner proceeding without counsel, filed a petition for writ of habeas corpus under 28 U.S.C. § 2241. After being ordered to file an application to proceed in forma pauperis, petitioner failed to submit the application or otherwise respond within the allowed period. The magistrate judge recommended dismissal without prejudice.
PRECEDENTIAL VALUE	nonprecedential
PARTIES	Anton A. Iagounov v. AUSA, FBI, etc.

TOPICS

- federal habeas corpus
- post-conviction relief
- civil procedure

PRACTICE AREAS

- Federal habeas corpus
- Post-conviction relief
- Civil procedure

QUESTIONS PRESENTED

1. Whether the habeas action should be dismissed without prejudice because petitioner failed to file the required application to proceed in forma pauperis or otherwise respond to the court's order.

HOLDINGS

1. The magistrate judge recommended that the action be dismissed without prejudice after petitioner failed to file an application to proceed in forma pauperis or otherwise respond within the time provided.

KEY QUOTATIONS

“Thirty days passed from May 28, 2025 and petitioner did not file his application to proceed in forma pauperis or otherwise respond to the order filed May 21, 2025.” (at 1)

“IT IS HEREBY RECOMMENDED that this action be dismissed without prejudice.” (at 1)

FACTUAL BACKGROUND

Anton A. Iagounov is a federal prisoner proceeding without counsel and brought a petition for writ of habeas corpus under 28 U.S.C. § 2241. The court ordered him to file an application to proceed in forma pauperis within thirty days. Although the Clerk re-served the order at petitioner's updated address, petitioner did not file the application or otherwise respond within the prescribed period.

PROCEDURAL HISTORY

The court granted petitioner thirty days to file an application to proceed in forma pauperis. After the Clerk updated and re-served the order at petitioner's new address, thirty days elapsed without petitioner filing the application or otherwise responding. The magistrate judge ordered assignment of a district judge and recommended that the action be dismissed without prejudice, subject to objections under 28 U.S.C. § 636(b)(1).

DISPOSITION

other

CASES CITED

- *Martinez v. Ylst*, 951 F.2d 1153 (9th Cir. 1991)

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