

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PRECEDENTIAL VALUE	nonprecedential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)

OPINION

(HC) Iagounov v. FBI

PER CURIAM.

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8 UNITED STATES DISTRICT COURT

9 FOR THE EASTERN DISTRICT OF CALIFORNIA

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11 ANTON A. IAGOUNOV, No. 2:25-cv-1258 CSK P

12 Petitioner,

13 v. ORDER AND FINDINGS AND

RECOMMENDATIONS

14 AUSA, FBI, etc., 15 Respondents, 16 17 Petitioner is a federal prisoner, proceeding without
counsel, with a petition for writ of 18 habeas corpus pursuant to 28 U.S.C. §2241. By an order
filed May 21, 2025, petitioner was 19 granted thirty days to file an application to proceed in forma
pauperis. (ECF No. 6.) On May 28, 20 2025, the Clerk of the Court updated court records to
reflect petitioner's new address.¹ On May 21 28, 2025, the Clerk of the Court re-served the order
filed May 21, 2025 on petitioner at his new 22 address. Thirty days passed from May 28, 2025 and
petitioner did not file his application to 23 proceed in forma pauperis or otherwise respond to the
order filed May 21, 2025. 24 In accordance with the above, IT IS HEREBY ORDERED that the
Clerk of the Court is 25 directed to assign a district judge to this case; and 26 IT IS HEREBY
RECOMMENDED that this action be dismissed without prejudice. 27 1 Petitioner's address in the
instant action was updated pursuant to a notice of change of address 28 filed by petitioner in
petitioner's criminal action, No. 2:24-cr-0101 DJC (E.D. Cal.).] These findings and
recommendations are submitted to the United States District Judge 2 || assigned to the case,
pursuant to the provisions of 28 U.S.C. § 636(b)(1). Within fourteen days 3 || after being served
with these findings and recommendations, petitioner may file written 4 || objections with the court
and serve a copy on all parties. Such a document should be captioned 5 || "Objections to
Magistrate Judge's Findings and Recommendations." Petitioner is advised that 6 || failure to file
objections within the specified time may waive the right to appeal the District 7 || Court's order.
Martinez v. Ylst, 951 F.2d 1153 (9th Cir. 1991). 8 9 || Dated: July 10, 2025 4 aA 10 \Aaa spe

CHI SOO KIM

i UNITED STATES MAGISTRATE JUDGE

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