

UNITED STATES DISTRICT COURT FOR THE DISTRICT OF OREGON,
EUGENE DIVISION

Georgie Anufriev v. First Technology Federal Credit Union, Pro
Found Recovery Solutions, and Oregon Adjusters Inc.

Anufriev · No. 6:26-cv-00725-MC · Decided April 16, 2026

SUMMARY

The United States District Court for the District of Oregon dismissed with prejudice Georgie Anufriev’s constitutional claims arising from the repossession of a 2019 Chevrolet Silverado. The court held that the private defendants were not proper defendants under 42 U.S.C. § 1983 or Bivens because they were not acting under color of state or federal law. The court also denied Anufriev’s motion for a temporary restraining order because he had not shown a likelihood of success on the merits.

CASE DETAILS

COURT	United States District Court for the District of Oregon, Eugene Division
WRITING FOR THE COURT	Michael McShane
JURISDICTION	United States District Court for the District of Oregon, Eugene Division
DECIDED	April 16, 2026
DOCKET	6:26-cv-00725-MC
DISPOSITION	dismissed
PROCEDURAL POSTURE	Pro se plaintiff filed a constitutional-rights complaint and moved for a temporary restraining order. The district court screened the complaint under 28 U.S.C. § 1915(e)(2)(B), dismissed it with prejudice and without leave to amend, and denied the temporary restraining order.
STANDARD OF REVIEW	The court applied the Federal Rule of Civil Procedure 12(b)(6) standard when screening under 28 U.S.C. § 1915(e)(2)(B). For the temporary restraining order, the court applied the preliminary-injunction factors, including likelihood of success on the merits.
PRECEDENTIAL VALUE	Unknown; district court opinion with no reported citation and no stated precedential designation.

PARTIES

Georgie Anufriev v. First Technology Federal Credit Union, Pro Found Recovery Solutions, Oregon Adjusters Inc.

TOPICS

motions to dismiss

injunctions

section 1983

due process

civil procedure

PRACTICE AREAS

civil procedure

constitutional law

civil rights

injunctive relief

consumer finance

QUESTIONS PRESENTED

1. Whether the complaint stated a viable constitutional claim under 42 U.S.C. § 1983 or Bivens against the private defendants.
2. Whether the complaint should be dismissed with prejudice and without leave to amend under 28 U.S.C. § 1915(e)(2)(B).
3. Whether the plaintiff was entitled to a temporary restraining order preventing the proposed sale of the vehicle.

HOLDINGS

1. The complaint failed to state a constitutional claim because the named defendants were private actors and the plaintiff did not identify a defendant acting under color of state law or a viable Bivens defendant.
2. The complaint was properly dismissed under 28 U.S.C. § 1915(e)(2)(B) because it failed to state a claim, and dismissal was with prejudice because amendment would be futile.
3. The temporary restraining order was denied because the plaintiff could not establish a likelihood of success on the merits.

KEY QUOTATIONS

“Private actors are generally not liable under Section 1983 or Bivens.” (Discussion)

“As explained, Plaintiff’s Complaint fails to state a claim and amendment is futile. Plaintiff’s Motion for Temporary Restraining Order is DENIED (ECF No. 4) and the Complaint (ECF No. 1) is DISMISSED WITH PREJUDICE.” (Conclusion)

FACTUAL BACKGROUND

The case concerned the repossession of Anufriev's 2019 Chevrolet Silverado. Oregon Adjusters allegedly took possession of the vehicle on April 8, 2026, pursuant to a repossession order from First Technology Federal Credit Union, which had hired Pro Found Recovery Solutions, which in turn hired Oregon Adjusters. Anufriev alleged that the order was signed without judicial oversight, that Oregon Adjusters refused to return the vehicle, and that First Tech intended to sell it privately after April 23, 2026.

PROCEDURAL HISTORY

Anufriev alleged that defendants repossessed his 2019 Chevrolet Silverado without judicial oversight and threatened to sell it. He asserted Seventh Amendment and due-process claims, which the court construed as claims under 42 U.S.C. § 1983 or Bivens. The court concluded that the defendants were private actors who could not be sued on the alleged constitutional theories, found amendment futile, dismissed the complaint with prejudice, and denied the requested temporary restraining order.

DISPOSITION

dismissed

CASES CITED

- Watison v. Carter, 668 F.3d 1108, 1112 (9th Cir. 2012)
- Ashcroft v. Iqbal, 556 U.S. 662, 675-76, 678 (2009)
- Bell Atlantic Corp. v. Twombly, 550 U.S. 544, 570 (2007)
- Winter v. Natural Resources Defense Council, Inc., 555 U.S. 7, 20 (2008)
- Alliance for the Wild Rockies v. Pena, 865 F.3d 1211, 1217 (9th Cir. 2017)
- Sierra On-Line, Inc. v. Phoenix Software, Inc., 739 F.2d 1415, 1422 (9th Cir. 1984)
- Bivens v. Six Unknown Named Agents, 403 U.S. 388 (1971)
- Benavidez v. County of San Diego, 993 F.3d 1134, 1144 (9th Cir. 2021)
- Caviness v. Horizon Community Learning Center, Inc., 590 F.3d 806, 812-13 (9th Cir. 2010)
- Villegas v. Gilroy Garlic Festival Ass'n, 541 F.3d 950, 955 (9th Cir. 2008) (en banc)
- Jesinger v. Nevada Federal Credit Union, 24 F.3d 1127, 1132 (9th Cir. 1994)
- Fleck v. Del-One Federal Credit Union, 2026 WL 867599, at *16 (D. Or. Mar. 30, 2026)
- Baird v. Bonta, 81 F.4th 1036, 1040 (9th Cir. 2023)