

**UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
LAKE CHARLES DIVISION**

**ARTEM KONEV**

**A** 

**DOCKET NO. 2:25-cv-0679  
SECTION P**

**VERSUS**

**JUDGE JAMES D. CAIN, JR.**

**JAMIEN A. ARWIE**

**MAGISTRATE JUDGE LEBLANC**

**REPORT AND RECOMMENDATION**

Before the court is a Petition for Writ of Habeas Corpus filed pursuant to 28 U.S.C. § 2241 by pro se petitioner Artem Konev on May 19, 2025. Doc. 1. Konev is an inmate in the custody of the Department of Homeland Security/Immigration Customs Enforcement (“DHS/ICE”) incarcerated at the Allen Parish Public Safety Complex at Oberlin, Louisiana. This matter has been referred to the undersigned for review, report, and recommendation in accordance with 28 U.S.C. § 636 and the standing orders of this Court.

In the Petition presently before this Court, Konev presents two grounds for relief: (1) he is being detained in violation of 8 U.S.C. § 1231 without likelihood of removal in the near future, and (2) he is being detained in violation of his Fifth Amendment due process rights. Doc. 1, pp. 6-7.

On May 5, 2025, before he filed the instant Petition, Konev filed a petition in this Court asserting the same grounds for relief, which is presently pending. *Konev v. Arvie*, Civil Action No. 25-cv-608 (W.D. La. May 5, 2025), doc. 1.

"An action may be dismissed ... if it duplicates claims raised by the same plaintiff in previous or pending litigation." *Emmett v. Hawthorn*, 459 F. App'x 490, 491 (5th Cir. 2012)

(citation omitted). An action is considered duplicative when it involves "the same series of events" and allegations of "many of the same facts as an earlier suit." *Brown v. Tex. Bd. of Nursing*, 554 F. App'x 268, 269 (5th Cir. 2014) (quoting *Bailey v. Johnson*, 846 F. 2d 1019, 1021 (5th Cir. 1988)). A district court has "broad discretion" in dismissing a complaint as duplicative. *Blakely v. Evans*, 574 F. App'x 420, 420 (5th Cir. 2014).

Because the claims or grounds for relief Konev asserts in the present matter are identical to those in the Civil Action No. 25-cv-608, already pending before this Court, the instant Petition is duplicative litigation. Accordingly, this matter should be dismissed without prejudice.

Accordingly,

**IT IS RECOMMENDED** that this petition for habeas corpus should be **DENIED AND DISMISSED WITHOUT PREJUDICE**.

Under the provisions of 28 U.S.C. Section 636(b)(1)(C) and Rule 72(b), parties aggrieved by this recommendation have fourteen (14) business days from service of this report and recommendation to file specific, written objections with the Clerk of Court. A party may respond to another party's objections within fourteen (14) days after being served with a copy of any objections or response to the district judge at the time of filing.

Failure to file written objections to the proposed factual findings and/or the proposed legal conclusions reflected in this Report and Recommendation within fourteen (14) days following the date of its service, or within the time frame authorized by Fed.R.Civ.P. 6(b), shall bar an aggrieved party from attacking either the factual findings or the legal conclusions accepted by the District

Court, except upon grounds of plain error. See, *Douglass v. United Services Automobile Association*, 79 F.3d 1415 (5th Cir. 1996).

THUS DONE AND SIGNED in chambers this 17th day of June, 2025.



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THOMAS LEBLANC  
UNITED STATES MAGISTRATE JUDGE