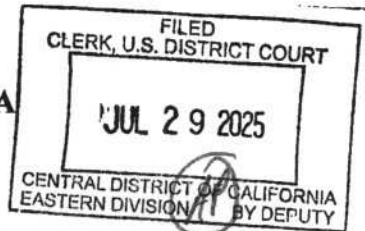


**UNITED STATES DISTRICT COURT
CENTRAL DISTRICT OF CALIFORNIA
EASTERN DIVISION – RIVERSIDE**



FEE PAID

GRIGORII FEDOROV ([REDACTED]),

Petitioner,

EDCV 25-01956-JLS (SP)
v.

WARDEN, Adelanto ICE Processing Center – Desert View Facility;

KRISTI NOEM, Secretary of DHS;

Field Office Director,

Enforcement and Removal Operations,

ICE Los Angeles Field Office;

PAM BONDI, U.S. Attorney General,

Respondents.

EMERGENCY PETITION FOR WRIT OF HABEAS CORPUS AND

MOTION FOR TEMPORARY RESTRAINING ORDER

Filed by: MARINA FEDOROVA, Pro Se, as Next Friend

of Grigorii Fedorov

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COVER LETTER

302 Santa Barbara, Irvine, CA 92606

07/28/2025

Clerk of the Court

United States District Court



Central District of California

Eastern Division – Riverside

EMERGENCY HABEAS PETITION – REQUEST FOR

IMMEDIATE REVIEW

Dear Clerk of the Court,

Enclosed is an Emergency Petition for Writ of Habeas Corpus and Motion for Temporary Restraining Order on behalf of my husband, **Grigorii Fedorov** (A ) , currently detained at Adelanto ICE Processing Center – Desert View Facility.

Mr. Fedorov has been under a final order of removal since September 6, 2024 – over nine months – with a pending Ninth Circuit appeal and an active Stay of Removal. He was detained despite 2.5 years of flawless SmartLink compliance, zero violations, and voluntary appearance within one hour of ICE notification.

This is exactly the type of prolonged detention prohibited under *Zadvydas v. Davis*, 533 U.S. 678 (2001) where removal is not reasonably foreseeable, and detention serves no legitimate immigration purpose.


His continued custody causes extraordinary, irreparable harm to our 12-year-old U.S.-diagnosed autistic son, whose federally mandated therapies depend on his father's presence and have already regressed sharply since detention.

In **December 2024**, our son received an official autism diagnosis in the United States. Only after this diagnosis did he begin receiving specialized services and showing his first stable progress. Mr. Fedorov is the central caregiver in this therapy. His detention has already caused regression, and professionals warn that ongoing separation will result in complete developmental collapse.


The recent case of **Leonid Melekhin**, deported from the U.S. on July 25, 2025 and immediately imprisoned by the FSB (Federal Security Service of the Russian Federation), demonstrates that the risk to Mr. Fedorov is not speculative but immediate and real.

We respectfully request immediate review.

Respectfully,

Marina Fedorova 


Pro Se Petitioner, Next Friend of Grigorii Fedorov

On behalf of minor children  Fedorov

EXCEPTIONAL CIRCUMSTANCES

1. 2.5 years of flawless SmartLink compliance and voluntary appearance within one hour of ICE notification.
2. Active Stay of Removal with Final Order – detention serves no purpose under *Zadvydas v. Davis*.
3. U.S. autism diagnosis (Dec 2024) – first progress in child’s development followed by immediate regression due to father’s detention; risk of complete developmental collapse.
4. Imminent risk of torture and imprisonment – July 25, 2025 deportation of Russian activist Leonid Melekhin proves danger is real.
5. Indigenous Sakha (Yakut) activist; Free Yakutia designated as “extremist”; multiple brothers, colleagues, and friends killed in war; Petitioner developed severe anxiety syndrome and was prescribed Hydroxyzi

AO-242 – PETITION FOR WRIT OF HABEAS CORPUS

- **Petitioner:** Grigorii Fedorov (A# )
- **Detained At:** Adelanto ICE Processing Center – Desert View Facility
- **Filed By:** Marina Fedorova, as Next Friend (Pro Se)

Grounds for Relief:

- Unlawful civil detention under 28 U.S.C. §2241 and Fifth Amendment.
- Active Stay of Removal; detention serves no immigration purpose.
- Imminent risk of torture upon removal (CAT Art. 3).
- Irreparable harm to U.S.-diagnosed autistic child due to separation.

Facts Supporting Petition:

1. Petitioner maintained over **2.5 years of flawless SmartLink compliance with zero violations**, demonstrating that less restrictive alternatives to detention were entirely sufficient (**Exhibit A**).
2. On June 3, 2025, after receiving a SmartLink alert, Petitioner voluntarily appeared at ICE **within one hour** and was detained despite a pending Ninth Circuit appeal and an active Stay of Removal (**Exhibit B**).

3. The **final order of removal has been in effect since September 6, 2024 – over nine months – without ICE effectuating removal,** proving that deportation is not reasonably foreseeable under *Zadvydas*.
4. Petitioner is the **primary caregiver of a U.S.-diagnosed autistic child (diagnosis December 2024)** whose therapies and developmental progress are federally protected under IDEA and ADA (**Exhibit C**).
5. Indigenous Sakha (Yakut); anti-war activist; Free Yakutia supporter (**Exhibit D**).
6. Detention caused regression; risk of complete developmental collapse.
7. Refusal to cooperate with consulate stems from well-founded fear of torture/death (CAT Art. 3).
8. July 25, 2025 deportation and imprisonment of Leonid Melekhin proves imminent danger (**Exhibit E**).
9. In October 2024, Petitioner learned that his cousin had gone missing in the war; in April 2025, body fragments were returned for burial. Several of Petitioner's brothers, colleagues, and friends have been killed in the war. This has intensified his well-founded fear of forced mobilization, torture, and death upon return to Russia.

10. Following these events, Petitioner developed severe anxiety and insomnia. In October 2024, a licensed U.S. clinic diagnosed him with anxiety syndrome and prescribed Hydroxyzine as treatment. A medical certificate is attached **(Exhibit F)**.

DECLARATION OF MARINA FEDOROVA

I, **Marina Fedorova**, declare under penalty of perjury:

1. I am the wife of **Grigorii Fedorov** (A [REDACTED]) and mother of our two minor children, [REDACTED]
2. My husband is a citizen of Russia and an ethnic Sakha (Yakut), member of the Indigenous minority of Yakutia.
3. He fled Russia due to his anti-war beliefs, refusal to participate in forced mobilization, and support of the Free Yakutia Foundation.
4. Since December 2022, he has been on **ICE SmartLink monitoring with perfect compliance and zero violations**. Available screenshots are attached as **Exhibit A**; ICE maintains full logs confirming this record.
5. On June 3, 2025, after receiving a SmartLink alert, my husband voluntarily appeared at ICE **within one hour** and was detained despite an active Ninth Circuit appeal and Stay of Removal.

The **final removal order has been pending since September 2024 – more than nine months – without ICE effectuating removal, despite 2.5 years of perfect SmartLink compliance**. This prolonged civil detention violates *Zadvydas v. Davis*, 533 U.S. 678 (2001).
6. In October 2024, my husband learned that his cousin had gone missing during the war. Several of his brothers, colleagues, and close friends have already been

killed. In April 2025, only body fragments of his cousin were returned for burial. These losses have caused him constant fear of forced mobilization and death if deported to Russia.

7. As a result, he developed severe anxiety and insomnia. In October 2024, he was officially diagnosed with anxiety syndrome by a U.S. clinic and prescribed Hydroxyzine. I attach the medical certificate as Exhibit F.
8. In **December 2024**, our 12-year-old son received an official autism diagnosis in the United States, triggering federally mandated services. Only after this diagnosis did he begin to show stable progress – communicating, engaging in class, and developing new skills. Only after this diagnosis did we begin to see **measurable, stable progress**: he started to communicate more, participate in class, and develop new skills.
9. My husband is the **central and irreplaceable caregiver** in all therapies. Since his detention, our son's progress has regressed sharply. Professionals warn of an imminent and total developmental collapse if separation continues. Executed under penalty of perjury pursuant to 28 U.S.C. § 1746.
 - a. Deportation would expose my husband to **immediate imprisonment and torture** due to his Indigenous status and support of Free Yakutia. The recent deportation and imprisonment of **Leonid Melekhin** demonstrate that this risk is imminent and real.


Executed on 07/28/2025

Respectfully submitted,

Marina Fedorova



Pro Se Petitioner, Next Friend of Grigorii Fedorov

On behalf of minor children  Fedorov

MEMORANDUM OF POINTS AND AUTHORITIES

I. Unlawful Detention – *Zadvydas v. Davis*

- Petitioner’s civil detention violates 28 U.S.C. §2241 and the Fifth Amendment. The Final Order of Removal has been in effect since September 6, 2024 – over nine months – without ICE effectuating removal despite full cooperation and 2.5 years of flawless SmartLink compliance. A Ninth Circuit Stay of Removal remains active, making removal not reasonably foreseeable as a matter of law. Continued detention serves no legitimate immigration purpose.
- Under *Zadvydas v. Davis*, 533 U.S. 678 (2001), the six-month presumptively reasonable period begins at the issuance of the Final Order of Removal, not the date of physical detention. Petitioner’s Final Order has been in effect since September 6, 2024 – over nine months – without ICE effectuating removal despite full cooperation and 2.5 years of flawless SmartLink compliance.
- Even though Petitioner has been in ICE physical custody for approximately two months, the relevant “*Zadvydas* clock” has already exceeded six months. This places the burden squarely on ICE to demonstrate that removal is reasonably foreseeable in the near future, which is impossible given the active Ninth Circuit Stay of Removal.

- Continued detention in this context is precisely what Zadvydas defines as unconstitutional: prolonged, indefinite custody with no lawful immigration purpose and no realistic prospect of removal.
- This case mirrors the exact constitutional concerns identified in *Zadvydas* and *Nadarajah v. Gonzales*, 443 F.3d 1069 (9th Cir. 2006): civil detention has extended well beyond the point of serving any legitimate immigration purpose, while removal remains legally and practically impossible.

II. Due Process Violation – *Nadarajah v. Gonzales*

- 2.5 years of perfect SmartLink compliance demonstrate that **alternatives to detention are sufficient**.
- Prolonged civil detention without purpose violates substantive due process.

III. Humanitarian Emergency – *Rodriguez v. Robbins*

- U.S. autism diagnosis (Dec 2024) created obligations.
- Father's detention causes regression and risk of **irreparable harm**, meeting TRO standards.

IV. CAT Article 3 and Non-Refoulement

- Removal to Russia where torture is likely violates **absolute treaty obligations**.

- Non-cooperation with consular repatriation arises from **life-threatening fear**, not obstruction.

V. International and Indigenous Rights

- **UNDRIP Art. 7:** Protection of Indigenous peoples from persecution.
- **CRC Art. 9:** Protection of family unity and best interests of the child.

VI. Public Interest and Balance of Equities

- 2.5 years zero violations, voluntary appearance = no flight risk.
- Release under supervision protects humanitarian values and due process.

MOTION FOR TEMPORARY RESTRAINING ORDER

Introduction

Petitioner respectfully moves for immediate TRO ordering release under supervision pending appeal.

Winter v. NRDC Test

- **Likelihood of Success:** Detention has exceeded nine months since the final order with no reasonably foreseeable removal; under *Zadvydas* and *Nadarajah v. Gonzales*, 443 F.3d 1069 (9th Cir. 2006), Petitioner is entitled to release.
- **Irreparable Harm:** Separation has caused regression in a 12-year-old U.S.-diagnosed autistic child whose therapies are federally mandated under IDEA and ADA; experts warn of imminent and permanent developmental collapse. This constitutes extraordinary harm under *Winter v. NRDC*, 555 U.S. 7 (2008).
- **Balance of Equities:** Zero SmartLink violations; detention serves no purpose.
- **Public Interest:** Protecting family unity and preventing torture align with constitutional and humanitarian values.


Respectfully submitted,

Marina Fedorova 

Pro Se Petitioner, Next Friend of Grigorii Fedorov

Dated: 07/28/2025

PROPOSED ORDER

IT IS HEREBY ORDERED that Respondents immediately release Petitioner **Grigorii Fedorov** (A ) from custody under appropriate supervision pending resolution of his Ninth Circuit appeal and further order of this Court.

IT IS SO ORDERED.

Dated: _____

United States District Judge

Central District of California

PROOF OF SERVICE

On 07/28/2025, I served copies of this Petition and Motion for TRO via
certified mail to:

Clerk of the Court

United States District Court

Central District of California

Eastern Division – Riverside

3470 12th Street

Riverside, CA 92501

and

Warden

Adelanto ICE Processing Center – Desert View Facility

10400 Rancho Road

Adelanto, CA 92301

and

Field Office Director, Enforcement and Removal Operations

U.S. Immigration and Customs Enforcement

Los Angeles Field Office

300 North Los Angeles Street, Room 7631

Los Angeles, CA 90012

and

Kristi Noem, Secretary of Homeland Security

U.S. Department of Homeland Security

2707 Martin Luther King Jr. Ave SE

Washington, DC 20528

and

Pam Bondi, U.S. Attorney General

U.S. Department of Justice

950 Pennsylvania Avenue, NW

Washington, DC 20530-0001

I declare under penalty of perjury that the foregoing is true and correct.

Marina Fedorova



Dated: 07/28/2025