

UNITED STATES DISTRICT COURT

CENTRAL DISTRICT OF CALIFORNIA

Case No. 5:25-cv-01956-JLS-SP



In re:

GRIGORII FEDOROV,

Petitioner,

by and through his Next Friend,

MARINA FEDOROVA,

v.

U.S. IMMIGRATION AND CUSTOMS ENFORCEMENT,

Respondents.

PETITIONER'S RESPONSE TO ORDER TO

SHOW CAUSE RE: STANDING

I. INTRODUCTION

Petitioner Grigorii Fedorov, by and through his Next Friend and spouse, Marina Fedorova, respectfully submits this Response to the Court's August 11, 2025 Order to Show Cause regarding standing. For the reasons set forth below, this habeas petition should not be dismissed, as Marina Fedorova properly satisfies the legal requirements to proceed as Petitioner's Next Friend.

II. LEGAL STANDARD FOR NEXT FRIEND STANDING

The U.S. Supreme Court in *Whitmore v. Arkansas*, 495 U.S. 149, 163–64 (1990), established two requirements for a Next Friend to proceed on behalf of another:

1. The real party in interest cannot litigate the action himself due to inaccessibility, detention, or disability.
2. The Next Friend has a significant relationship with the real party and is truly dedicated to his best interests.

The Ninth Circuit has reaffirmed that a spouse or parent may appropriately serve as a Next Friend where the petitioner is detained and unable to access the courts. See

Coalition of Clergy v. Bush, 310 F.3d 1153, 1159–60 (9th Cir. 2002); Wilson v. Dixon, 256 F.2d 536, 538 (9th Cir. 1958).

Most recently, in *Roe v. Critchfield*, No. 23-2807 (9th Cir. Mar. 20, 2025), the Ninth Circuit again accepted parents acting as next friends for their child, emphasizing that such close familial relationships “by definition” satisfy the requirement of a significant, dedicated relationship.

III. APPLICATION TO THIS CASE

1. **Petitioner’s Inability to Proceed on His Own**

- Petitioner is currently detained at Adelanto ICE Processing Center, which severely limits his access to legal resources, English-language materials, and the ability to prepare and file pleadings directly with this Court.

- Petitioner’s federal appeal in the Ninth Circuit remains pending, and he lacks counsel of record in this habeas proceeding. Without outside assistance, he cannot meaningfully access the courts to protect his rights.

2. **Next Friend’s Relationship and Dedication**

- I, Marina Fedorova, am Petitioner’s lawful spouse. A certified copy of our marriage certificate is attached as Exhibit A.

- I am fully dedicated to safeguarding his legal rights and liberty, and I have no interests adverse to his.

3. Good Faith and Necessity

- This petition was filed in good faith, solely to secure judicial review of Petitioner's detention.

- Petitioner has consistently complied with all ICE monitoring requirements, including SmartLink check-ins and voluntary appearances at ICE offices. His current detention occurred despite full compliance and while his federal appeal was still pending.

- Without my intervention as Next Friend, Petitioner would have no effective means of pursuing habeas relief from detention.


IV. CONCLUSION

Because Petitioner is unable to meaningfully access the courts while in ICE custody, and because I am his lawful spouse acting solely in his best interests, this Court should find that Next Friend standing is proper.

Accordingly, Petitioner respectfully requests that the Court discharge the Order to Show Cause and allow the habeas petition to proceed.

Respectfully submitted,

Dated: August 22, 2025

Marina Fedorova, Next Friend for Petitioner 



Irvine, CA 

Tel: 

Email: 

PROOF OF SERVICE

I, Marina Fedorova, certify that on August 22, 2025, I served a true and correct copy of the foregoing Response to Order to Show Cause with attached exhibits by placing it in the U.S. Mail, addressed as follows:

Clerk of the Court

U.S. District Court

Central District of California

Eastern Division – Riverside

3470 Twelfth Street

Riverside, CA 92501

and

U.S. Attorney's Office, Central District of California

Attn: Margaret M. Chen, Assistant U.S. Attorney

300 North Los Angeles Street, Suite 7516

Los Angeles, CA 90012

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

Dated: August 22, 2025

Marina Fedorova

A handwritten signature in black ink, appearing to be the name 'Marina Fedorova' written in a cursive style.

EXHIBIT A

Marriage Certificate