


UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF LOUISIANA  
ALEXANDRIA DIVISION

VIKTOR BALASHOV #A   
Petitioner

CIVIL DOCKET NO. 1:25-CV-01102  
SEC P

VERSUS

JUDGE EDWARDS

KRISTI NOEM ET AL,  
Respondents

MAGISTRATE JUDGE PEREZ-MONTES

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REPORT AND RECOMMENDATION

Before the Court is a Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241 (ECF No. 1) filed by pro se Petitioner Viktor Balashov (“Balashov”). Balashov is an immigration detainee at River Correctional Center in Ferriday, Louisiana. He challenges the legality of his continued detention.

Because Balashov failed to comply with the Court’s Order, the Petition should be DISMISSED WITHOUT PREJUDICE.

**I. Background**

Balashov is a native and citizen of Russia. He seeks release under § 2241 because the Government has “failed to provide objective reasons and grounds” for his continued detention. ECF No. 1 at 6. Balashov asserts that his detention is unlawful under 8 U.S.C. § 1226(a) because he “pose[s] no threat.” ECF No. 1 at 6. He also alleges that his detention is unlawful under 8 U.S.C. § 1231(a)(6). *Id.* at 7.

Balashov was ordered to amend his Petition by October 14, 2025. ECF No. 5. To date, no amended petition has been filed.

**II. Law and Analysis**

A district court may dismiss an action for a petitioner's failure to prosecute or to comply with any order. *See* Fed. R. Civ. P. 41(b). The dismissal may occur upon the motion of a defendant or the Court's own motion. The authority to dismiss *sua sponte* is provided to "achieve the orderly and expeditious disposition of cases"; to "prevent undue delays"; and to "avoid congestion in the calendars of the District Courts." *Link v. Wabash Railroad Co.*, 370 U.S. 626, 629-31 (1962); *see also Morris v. Ocean Sys., Inc.*, 730 F.2d 248, 251 (5th Cir. 1984); *Anthony v. Marion County General Hospital*, 617 F.2d 1164, 1167 (5th Cir. 1980).

Balashov failed to comply with the Court's Order to amend, and he has not requested an extension of time within which to comply. Therefore, the Petition should be dismissed under Rule 41.

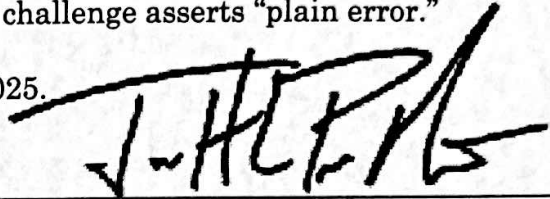
**III. Conclusion**

Because Balashov failed to comply with the Court's Order, IT IS RECOMMENDED that the Petition (ECF No. 1) be DISMISSED WITHOUT PREJUDICE.

Under 28 U.S.C. § 636(b)(1)(c) and Fed. R. Civ. P. 72(b), a party may file written objections to this Report and Recommendation within 14 days of service, unless the Court grants an extension of time to file objections under Fed. R. Civ. P. 6(b). A party may also respond to another party's objections to this Report and Recommendation within 14 days of service of those objections, again unless the Court grants an extension of time to file a response to objections.

No other briefs may be filed without leave of court, which will only be granted for good cause. A party's failure to timely file written objections to this Report and Recommendation will bar a party from later challenging factual or legal conclusions adopted by the District Judge, except if the challenge asserts "plain error."

SIGNED on Friday, November 21, 2025.

A handwritten signature in black ink, appearing to read 'J.H.L. P.M.', written over a horizontal line.

JOSEPH H.L. PEREZ-MONTES  
UNITED STATES MAGISTRATE JUDGE