

**UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MISSOURI  
EASTERN DIVISION**

JERRY PAUL MAXIMOFF,	)	
	)	
Petitioner,	)	
	)	
v.	)	No. 4:15CV1637 HEA
	)	
UNITED STATES OF AMERICA,	)	
	)	
Respondent,	)	

**OPINION, MEMORANDUM AND ORDER**

This matter is before the Court on Jerry Maximoff’s petition to have his felony convictions expunged. The Court does not have jurisdiction over the matter. As a result, this action is dismissed. *See* Fed. R. Civ. P. 12(h)(3).

Petitioner was convicted of conspiracy with intent to distribute methamphetamine. *United States v. Maximoff*, No. 2:05CR922 GMS-2 (D. Ariz.); *United States v. Maximoff*, No. 2:15CR1071 EHC-1 (D. Ariz.). One condition of his supervised release is that he may “not possess or attempt to acquire any firearm . . .” Petitioner states that this condition is preventing him from providing for his family. He says he needs a firearm to hunt, so that he can “supply meat at [his] family’s table.”

This Court has limited jurisdiction to expunge criminal records. A district court has no jurisdiction “to expunge criminal records based solely on equitable considerations [] without an express grant of authority from Congress.” *United States v. Meyer*, 439 F.3d 855, 862 (8th Cir. 2006). In the absence of “an allegation that the criminal proceedings were invalid or illegal, a District Court does not have the jurisdiction to expunge a criminal record.” *United States v. Dunegan*, 251 F.3d 477, 480 (3d Cir. 2001).

Petitioner has not relied on any constitutional provision or federal statute in his request. Nor has he alleged that his conviction was obtained illegally or is invalid for any other reason. His request lies solely on equitable grounds. Therefore, the Court lacks jurisdiction over the matter.

The Court previously ordered petitioner to show cause why this action should not be dismissed. He failed to file a timely response.

Accordingly,

**IT IS HEREBY ORDERED** that the petition is **DENIED**, and this action is **DISMISSED**.

An Order of Dismissal will be filed separately.

Dated this 7th day of January, 2016



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HENRY EDWARD AUTREY  
UNITED STATES DISTRICT JUDGE