

**UNITED STATE DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

EDUARDO VEGA HERNANDEZ,

Petitioner,

v.

Case No. 3:26-cv-00008-MMH-MCR

WARDEN, NORTH FLORIDA
DETENTION FACILITY, et al.,

Respondents.

MOTION TO CORRECT THE DOCKET

Respondent Warden, North Florida Detention Center (“Warden”), files this motion to correct the docket. In support, Warden states:

1. On January 5, 2026, Petitioner Eduardo Vega Hernandez filed his Petition for Writ of Habeas Corpus under 28 U.S.C. § 2241. DE 1.
2. The Petition names U.S. Immigration and Customs Enforcement and “DHS-ICE-ERO” as the respondents.
3. The court docket, however, lists “Warden, North Florida Detention Facility” and “U.S. Attorney General” as the respondents.
4. Undersigned Counsel noticed his appearance for the Warden based on the docket entries because he could not view the Petition before appearing in the case.
5. After appearing and reviewing the Petition, Mr. Meros learned that the Warden was not named as a respondent. Rather than filing and occupying the

Court's time with a substantive motion to dismiss a party that is not named, undersigned counsel files this motion to correct the docket.

6. Accordingly, to the extent the Warden is listed as a party in the case, he should be dismissed because the Petition does not name him as a respondent.

7. Moreover, even if the Warden were named, he would not be a proper respondent because only federal officials have custody of detainees at the North Florida Detention Center, and thus only federal officials are proper respondents under 28 U.S.C. § 2241. *See, e.g., Rumsfeld v. Padilla*, 542 U.S. 426, 434 (2004); *see also Krechmar v. Parra*, No. 2:25-CV-01095, 2025 WL 3620802, at *2 (M.D. Fla. Dec. 15, 2025) (noting “the director of ICE’s local field office is a more appropriate respondent” than the warden of Alligator Alcatraz because “[t]he warden of Alligator Alcatraz would be ill-equipped to respond to the merits of Krechmar’s claims and to be the sole defender of the federal government’s interests”). To the extent the Court would like more information on this point, the Warden could brief the issue.

8. Additionally, the docket should be corrected to name “U.S. Immigration and Customs Enforcement” and “DHS-ICE-ERO” as the Respondents in this action because they were the entities named in the Petition. *See Fed. R. Civ. P. 10* (“The title of the complaint must name all the parties . . .”).

CONCLUSION

For the foregoing reasons, the Court should correct the docket to (1) remove “Warden, North Florida Detention Facility” and “U.S. Attorney General” as respondents and (2) list “U.S. Immigration and Customs Enforcement” and “DHS-ICE-ERO” as the respondents.

Dated: March 4, 2026

Respectfully submitted,

/s/Nicholas J.P. Meros
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*Counsel for Respondent, Warden
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RULE 3.01(g) CERTIFICATION

Pursuant to Local Rule 3.01(g), I hereby certify that undersigned counsel was unable to confer with Petitioner because he is proceeding pro se and counsel has no way to communicate with him while he is in detention. Thus, the undersigned represents that Petitioner objects to the requested relief.

/s/ Nicholas J.P. Meros
*Counsel for Respondent Warden
North Florida Detention Center*

CERTIFICATE OF SERVICE

I HEREBY CERTIFY that a true and correct copy of the foregoing was served via the Court's CM/ECF system, which provides notice to all parties, on March 4, 2026 and furnished via U.S. Mail to Petitioner, Eduardo Vega Hernandez, Pro Se, #  Folkston D Ray ICE Processing Center, 3262 Hwy 252 East, Folkston GA 31537.

/s/ Nicholas J.P. Meros
Counsel for Respondent, Warden
North Florida Detention Facility