IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
VALDOSTA DIVISION

RUFINO CRUZ RODRIGUEZ,

Petitioner,

v.

WARDEN, IRWIN COUNTY DETENTION CENTER,[1]

Respondent.

Case No. 7:26-cv-00060-WLS-CHW

ABBREVIATED RESPONSE TO PETITION AND RESPONSE TO ORDER TO SHOW CAUSE

On March 11, 2026, Petitioner filed a petition for a writ of habeas corpus ("Petition") claiming, among other things, that he is a member of the certified class in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM (C.D. Cal.), and is entitled to a bond hearing under 8 U.S.C. § 1226(a), and alternatively that this Court's ruling in *J.A.M. v. Streeval*, No. 4:25-cv-342-CDL-AGH (M.D. Ga. Nov. 1, 2025) likewise entitles him to a bond hearing. ECF No. 1. On March 12, 2026, the Court issued an Order to Show

[1] In addition to the Warden of Irwin County Detention Center, Petitioner also names officials with the Department of Justice, Department of Homeland Security, and Immigration and Customs Enforcement as Respondents in his Petition. "[T]he default rule [for claims under 28 U.S.C. § 2241] is that the proper respondent is the warden of the facility where the prisoner is being held, not the Attorney General or some other remote supervisory official." *Rumsfeld v. Padilla*, 542 U.S. 426, 434-35 (2004) (citations omitted). Thus, Respondent has substituted the Warden of Irwin County Detention Center as the sole appropriately named respondent in this action.

Cause directing Respondent to show cause why the Petition should not be granted in light of the Court's ruling in *J.A.M.* ECF No. 3.[2]

Respondent acknowledges this Court's prior ruling in *J.A.M.* concerning a similar challenge to the detention authority at issue in this case, which would control the result in this case should the Court adhere to its legal reasoning in those prior decisions. Should the Court determine that § 1226(a) governs Petitioner's detention, the only appropriate remedy is a bond hearing before an immigration judge, during which an immigration judge can properly determine in the first instance whether Petitioner is a flight risk or danger to the community. *See J.A.M. v. Streeval*, No. 4:25-cv-342-CDL-AGH, Order 15 (M.D. Ga. Oct. 31, 2025), ECF No. 12. Respondent reserves all rights, including the right to appeal, and reasserts the arguments raised in response to the petition at issue in *J.A.M.* by reference herein. Respondent submits this abbreviated response in lieu of an exhaustive responsive brief to preserve the legal issues and to conserve the resources of the Court and the parties. Should the Court prefer to receive a more exhaustive response brief, Respondent respectfully requests leave to file such a brief and will do so upon the Court's request.

[2] Undersigned counsel for Respondent apologizes for the lateness of this response. Respondent inadvertently categorized this case with others in which a bond hearing was ordered without response. Undersigned counsel begs forgiveness for the oversight.

Respectfully submitted this 24th day of March, 2026.

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