

UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TEXAS
AUSTIN DIVISION

FERNANDO GONZALEZ GUERRERO

Petitioner,

V.

CIVIL CASE NO. 1:25-CV-1334

KRISTI NOEM, Secretary of the United States

Department of Homeland Security;

PAMELA BONDI, United States Attorney

General;

MIGUEL VERGARA, San Antonio Field Office

Director for Enforcement and Removal, U.S.

Immigration and Customs Enforcements,

Department of Homeland Security;

CHARLOTTE COLLINS, Warden, T. Don Hutto

Detention Center, Taylor Texas;

OSCAR MONTEMAYOR, Acting Chief Counsel,

U.S. Immigration and Customs Enforcement,

Department of Homeland Security;

CELESTIN NKENG, Assistant Chief Counsel,

U.S. Immigration and Customs Enforcement,

Department of Homeland Security;

UNITED STATES DEPARTMENT OF

HOMELAND SECURITY;

UNITED STATES IMMIGRATION AND

CUSTOMS ENFORCEMENT.

Respondents.

RESPONSE OF WARDEN CHARLOTTE COLLINS
TO PETITIONER'S FIRST AMENDED EMERGENCY
PETITION FOR WRIT OF HABEAS CORPUS

Pursuant to the Federal Rules of Civil Procedure and this Court's Order entered August 26, 2026 [Dkt # 6], Respondent Charlotte Collins, Warden of the T. Don Hutto Detention Center ("Warden Collins" or "Respondent") timely files this Response to Petitioner's First Amended Emergency Petition for Writ of Habeas Corpus Pursuant to 28 U.S.C. Section 2241 [Dkt #4] ("Petition"). Warden Collins sets forth below her specific admissions and denials to the factual

allegations in the Petition based on information known to and readily ascertainable by her at the time of filing this pleading.

By way of further response, Warden Collins adopts and incorporates as if set forth fully herein all responsive pleadings and/or motions filed in this cause by or on behalf of Kristi Noem, Pamela Bondi, Miguel Vergara, Oscar Montemayor, Celestin Nkeng, United States Department of Homeland Security (“DHS”) and/or United States Immigration and Customs Enforcement (“ICE”) (collectively “Government Defendants”), including all factual allegations, legal arguments and defenses set forth therein.

SPECIFIC ADMISSIONS AND DENIALS

1. With regard to numbered Paragraph 1 of the Petition, Warden Collins admits that Petitioner is being held in the custody of the United States government at the T. Don Hutto Detention Center in Hutto, Texas and admits Petitioner is seeking relief under 28 U.S.C. § 2241, but denies Petitioner is entitled to the relief sought. The remaining allegations of fact or law in Paragraph 1 are denied.

2. With regard to numbered Paragraphs 2-3 of the Petition, under the heading “Introduction,” Warden Collins is without knowledge or information sufficient to admit or deny the allegations of fact or law in these paragraphs of the Petition and they are therefore denied.

3. With regard to numbered Paragraphs 4-8 of the Petition, under the heading “Jurisdiction and Venue,” Warden Collins admits Petitioner is in the physical custody of Respondents at the T. Don Hutto Detention Center in Taylor, Texas and does not contest the jurisdiction of this court or that venue in this district is proper. Warden Collins is without knowledge or information sufficient to admit or deny the remaining allegations of fact or law in Paragraphs 4-8 of the Petition and they are therefore denied.

4. With regard to numbered Paragraph 9 of the Petition, under the heading “Exhaustion of Administrative Remedies,” Warden Collins is without knowledge or information sufficient to admit or deny the remaining allegations of fact or law in Paragraph 9 of the Petition and they are therefore denied.

5. With regard to numbered Paragraphs 10-15 of the Petition, under the heading “Facts,” Warden Collins is without knowledge or information sufficient to admit or deny the allegations of fact or law in these paragraphs of the Petition and they are therefore denied.

6. With regard to numbered Paragraphs 16-21 of the Petition, under the heading “Legal Argument” (with sub-headings A through C), Warden Collins is without knowledge or information sufficient to admit or deny the allegations of fact or law in these paragraphs of the Petition and they are therefore denied.

7. With regard to the paragraphs of the Petition set forth under the heading “Relief Requested,” this paragraph sets forth legal claims and claims for relief, rather than factual allegations, such that specific admissions and denials are not required. To the extent specific admissions or denials are required in response to this paragraph of the Petition, Warden Collins denies the allegations of fact and law in this paragraph, if any, and denies Petitioner is entitled to the relief sought.

AFFIRMATIVE DEFENSES AND OTHER DEFENSIVE MATTERS

8. As set forth above, by way of further answer to the Petition, Warden Collins adopts and incorporates as if set forth fully herein all responsive pleadings and/or motions filed in this cause by or on behalf of one or more of the Government Defendants, including all factual allegations, legal arguments and defenses set forth therein.

Dated September 26, 2025.

Respectfully submitted,

By: /s/ Danya W. Blair
Danya W. Blair – Attorney in Charge
Texas Bar No. 00790315
AKERMAN LLP
7550 I-10, Suite 800-1469
San Antonio, TX 78229
Telephone (210) 582-0221
Facsimile (210) 582-5721
danya.blair@akerman.com

**ATTORNEY FOR RESPONDENT
WARDEN CHARLOTTE COLLINS**

CERTIFICATE OF SERVICE

I hereby certify that a true and correct copy of the foregoing instrument has been served on all counsel of record by ECF and email on September 26, 2025.

/s/ Danya W. Blair