

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

BENJAMIN GARCIA HERNANDEZ

Petitioner,

V.

KRISTI NOEM, Secretary of the United States  
Department of Homeland Security; et al.

Respondents.

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CIVIL CASE NO. 1:25-cv-01621

**RESPONSE OF WARDEN CHARLOTTE COLLINS  
TO PETITION FOR WRIT OF HABEAS CORPUS**

Pursuant to the Federal Rules of Civil Procedure, Respondent Charlotte Collins, Warden of the T. Don Hutto Detention Center (“Warden Collins” or “Respondent”) timely files this Response to Petitioner’s Petition for Writ of Habeas Corpus [Dkt #1] (“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 Respondents Kristi Noem, Pamela Bondi, Miguel Vergara, U.S. Department of Homeland Security, U.S. Immigration and Customs Enforcement and/or Executive Office for Immigration Review (collectively “Government Respondents”), 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 in the custody of the United States government at the T. Don Hutto Detention Center

in Taylor, Texas, but denies he is entitled to the relief sought. Warden Collins is without knowledge or information to admit or deny the remaining allegations of fact or law in this paragraph of the Petition and they are therefore 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 detained within this district, 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 these paragraphs of the Petition and they are therefore denied.

4. With regard to numbered Paragraphs 9-10 of the Petition, under the heading “Exhaustion of Administrative Remedies,” 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.

5. With regard to numbered Paragraphs 11-18 of the Petition, under the heading “Parties,” Warden Collins admits each of the listed parties has been named in this action, and admits she is employed as warden of the T. Don Hutto Detention Center in Taylor, Texas. Warden Collins is without knowledge or information sufficient to admit or deny the remaining allegations of fact or law in these paragraphs of the Petition and they are therefore denied.

6. With regard to numbered Paragraphs 19-38 of the Petition, under the heading “Legal Framework,” 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 numbered Paragraphs 39-44 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.

8. With regard to numbered Paragraphs 45-55 of the Petition set forth under the heading “Claims for Relief” and all sub-headings thereunder, these paragraphs set 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 these paragraphs of the Petition, Warden Collins denies the allegations of fact and law in these paragraph, if any, and denies Petitioner is entitled to the relief sought.

9. With regard to numbered Paragraphs 56 of the Petition set forth under the heading “Relief Requested,” including subparagraphs (a) through (h), this paragraph and subparagraphs set 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.

10. With regard to numbered Paragraph 57 of the Petition, Warden Collins is without knowledge or information sufficient to admit or deny the allegations of fact or law in this paragraph of the Petition, if any, and they are therefore denied.

#### **AFFIRMATIVE DEFENSES AND OTHER DEFENSIVE MATTERS**

10. 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 Respondents, including all factual allegations, legal arguments and defenses set forth therein.

Dated November 21, 2025.

Respectfully submitted,

By: /s/ Danya W. Blair

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**ATTORNEYS 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 on November 21, 2025.

/s/ Cody Paschall