

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF TEXAS
BROWNSVILLE DIVISION

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J GUILLERMO SABALA PERES,)	
Petitioner,)	
)	
v.)	CIVIL No. <u>1:25-CV-308</u>
)	
FRANCISCO VENEGAS)	
Respondent.)	
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PETITIONER’S OPPOSITION TO RESPONDENT’S MOTION TO
DISMISS RESPONDENT FRANCISCO VENEGAS

The Respondent has requested this Honorable Court to dismiss him as a party to this lawsuit and that the originally named federal respondents be named the appropriate parties to file any response they deem necessary. The Petitioner opposes such request as the Court has already determined that Francisco Venegas, the warden at the El Valle Detention Facility, is the immediate custodian of the Petitioner with the ability to produce before the Court. *See Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004). The Respondent’s assertion that the originally named respondents are the appropriate parties to respond ignores this Court’s order and the plain language that “the proper

respondent [in a §2241 habeas action] is the person responsible for maintaining...the custody of the prisoner.” *Id.* at 440 n. 13. As the Court has noted, that person is none other than Francisco Venegas. As the originally named defendants have been dismissed, dismissing Francisco Venegas would leave the Petitioner without a Respondent who can respond to his Writ of Habeas Corpus and Complaint for Injunctive and Declaratory Relief.

As such, the Petitioner requests that the Court deny the Respondent’s request to dismiss him as a party to this lawsuit.

Respectfully submitted,

/s/Robert K. Hoffman

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CERTIFICATE OF SERVICE

I, Robert K. Hoffman, hereby certify that a true and correct copy of the foregoing “Petitioner’s Opposition to Respondent’s Motion to Dismiss Respondent Francisco Venegas”, including all attachments, will be served on Respondents via US Postal Service Certified mail addressed as follows:

Francisco Venegas
Warden at El Valle Detention Facility
1800 Industrial Dr.
Raymondville, Texas 78580

On this the 9th day of January 2026.

Respectfully submitted,

/s/Robert K. Hoffman

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