

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

URIEL AGUILAR-HERNANDEZ,

Petitioner,

v.

WARDEN, IRWIN COUNTY
DETENTION CENTER,¹

Respondent.

Case No. 7:26-cv-0018-WLS-AGH

**ABBREVIATED RESPONSE TO PETITION
AND RESPONSE TO ORDER TO SHOW CAUSE**

On January 13, 2026, Petitioner filed a petition for a writ of habeas corpus (“Petition”) claiming a right to a bond hearing under 8 U.S.C. § 1226(a) pursuant to the class certification order in *Maldonado Bautista v. Santacruz*, No. 5:25-CV-01873-SSS-BFM, 2025 WL 3289861, at *11 (C.D. Cal. Nov. 20, 2025). ECF No. 1. On January 23, 2026, Petitioner filed an Amended Petition asserting similar claims. ECF No. 4. On January 26, 2026, the Court issued an Order to Show Cause directing Respondent to show cause

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.

within seven days why the Petition should not be granted in light of the Court's rulings in *J.A.M. v. Streeval*, No. 4:25-cv-342-CDL-AGH (M.D. Ga. Nov. 1, 2025) and *P.R.S. v. Streeval*, No. 4:25-cv-330-CDL, 2025 WL 3269947 (M.D. Ga. Nov. 24, 2025). ECF No. 5.² On February 4, 2026, the Court issued a second Order to Show Cause directing Respondent to respond by February 6, 2026. ECF No. 6.

Respondent acknowledges this Court's prior rulings in *J.A.M.* and *P.R.S.*, concerning similar challenges 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 petitions at issue in *J.A.M.* and *P.R.S.* 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 Respondent begs the Court's forgiveness for failing to respond within the time set in the Show Cause Order. For various reasons, the Order was misunderstood and no response was filed. Undersigned counsel for Respondent endeavored to rectify the situation immediately upon receiving the Court's second Order.

Respectfully submitted this 4th day of February, 2026.

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