

IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
WESTERN DIVISION

XIN LIN

A 

PETITIONER

V.

Cause No. 5:26-cv-00015-DCB-BWR

RAFAEL VERGARA,  
*Warden of Adams County Correctional  
Center*

RESPONDENT

ORDER

This matter is before the Court on Xin Lin's Petition for Writ of Habeas Corpus Under 28 U.S.C. § 2241 [1]. Petitioner is an immigration detainee currently housed at the Adams County Correctional Center in Natchez, Mississippi.

The proper Respondent is the "person having custody over the person detained." 28 U.S.C. § 2243. "Whenever a § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent and file the petition in the district of confinement." *Rumsfeld v. Padilla*, 542 U.S. 426, 428 (2004); *see Trump v. J.G.G.*, 604 U.S. 670, 672 (2025) (applying the district-of-confinement rule in an immigration detention habeas matter). "[T]he 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*, 542 U.S. at 435. Rafael Vergara, Warden of Adams County Correctional Center, is the proper Respondent. The Court directs Respondent Vergara to file an answer or other responsive pleading. Respondent's answer or other responsive pleading is due within twenty (20) days of the service of a copy of this Order. Counsel for Petitioner desiring

to file a rebuttal may do so within fourteen days after Respondent files an answer or other responsive pleading.

**IT IS THEREFORE ORDERED** that Rafael Vergara, Warden of Adams County Correctional Center, is the proper Respondent and any others listed on the docket are hereby removed as Respondents.

**IT IS FURTHER ORDERED** that Respondent Vergara shall file an answer or other responsive pleading in this cause within twenty (20) days of the service of a copy of this order. Respondent shall file with his answer or other responsive pleading any agency records or court records relevant to the disposition of this cause. Counsel for Petitioner desiring to file a rebuttal may do so within fourteen days after Respondent files an answer or other responsive pleading.

**IT IS FURTHER ORDERED** that the Clerk of Court shall serve, by certified mail, a copy of the Petition [1] filed herein, along with a copy of this Order upon the Civil Process Clerk, Office of the United States Attorney for the Southern District of Mississippi, 501 E. Court St., Suite 4.430, Jackson, MS 39201; the Attorney General of the United States, U.S. Department of Justice, 950 Pennsylvania Ave., NW, Washington, D.C. 20530; and Warden of Adams County Correctional Center, P.O. Box 850, Washington, MS 39190.

**SO ORDERED**, this the 20th day of January 2026.

*s/ Bradley W. Rath*

BRADLEY W. RATH  
UNITED STATES MAGISTRATE JUDGE