

**UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF FLORIDA
JACKSONVILLE DIVISION**

JOSE LUIS HERRADA RUBALCAVA,)

Petitioner,)

v.)

RONNIE WOODALL, Warden at Baker)
County Detention Center; GARRETT J.)
RIPA, Director of the ICE Miami Field)
Office; TODD LYONS, Acting Director)
of ICE; KRISTI NOEM, Secretary of)
the U.S. Department of Homeland)
Security; in their official capacities.)

Respondents.)

Case No.
3:26-cv-00162-WWB-SJH

PETITIONER'S RESPONSE TO WOODALL MOTION TO DISMISS

Respondent Ronnie Woodall, as Warden of Barker County Detention Center, filed a Rule 12(b)(6) motion to dismiss, arguing he is not a proper respondent. Respondent Woodall cites a memorandum of agreement between The State of Florida's Division of Emergency Management ("DEM") with Immigration and Customs Enforcement ("ICE") under which DEM retains operational control of its facilities but houses immigrant detainees pursuant to ICE supervision.

Putting aside the question of whether the cited memorandum can properly be considered on a Rule 12(b)(6) motion, Petitioner replies by pointing to *Lara-Reyes*

v. Woodall, 2026 U.S. Dist. LEXIS 53142, (M.D. Fla Mar. 16, 2026) in which this Court considered this precise argument and denied Respondent Woodall's motion, reasoning as follows:

The Court recognizes Woodall's argument that while a warden may technically maintain day-to-day control of a facility, the warden does not have ultimate control over an immigration detainee's custody status, and a warden is ill-equipped to respond to a habeas petition and defend the federal government's interests. Nevertheless, the warden is the "immediate custodian" and presumably the individual who, upon ICE's direction, opens the door to release the detainee. Given the uncertainty and wide-ranging decisions on this particular issue, the Court declines to find that the warden is not a proper respondent.

Id. at *12-14.

As the cases cited *Lara-Reyes* illustrate, the warden, even in a state-run facility holding detainees pursuant to ICE supervision, continues to be an immediate custodian and proper respondent to a habeas petition such as this one. *See, e.g., Vasquez v. Reno*, 233 F.3d 688, 696 (1st Cir. 2000) ("[W]e hold that an alien who seeks a writ of habeas corpus contesting the legality of his detention by the INS normally must name as the respondent his immediate custodian, that is, the individual having day-to-day control over the facility in which he is being detained."); *Valeriia Pak v. Hoover*, No. 3:26-CV-00379, 2026 U.S. Dist. LEXIS 44941, 2026 WL 624165, at *1 n.1 (M.D. Pa. Mar. 5, 2026) (maintaining the warden as the only respondent, but recognizing that "the government will be bound

by the [c]ourt's judgment because [the warden] is acting as an agent of the federal government by detaining [the petitioner] on behalf of [ICE]").

Furthermore, because the appropriate ICE officials are also named as respondents to this matter, there should be no concern about Respondent Woodall's ability to comply with any orders of this Court, should the habeas petition be granted.

CONCLUSION

For the foregoing reasons Respondent Woodall's 12(b)(6) Motion to Dismiss should be denied.

This the 7th of April, 2026

Lead Counsel for Petitioner:
Admitted Pro Hac Vice

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CERTIFICATE OF SERVICE

I hereby certify that on the date indicated below, I electronically filed a copy of the foregoing with the Clerk of Court by using the CM/ECF system, which will provide electronic notice to all attorneys of record.

This 7th of April, 2026

/s/ Russell W. Johnson
Russell W. Johnson