

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND**

CESAR AUGUSTO GODOY CORRALES,	*	
Petitioner,	*	Case No. 1:26-cv-00788-JRR
v.	*	
VERNON LIGGINS, <i>et al.</i> ,	*	
Respondents.	*	

* * * * *

**MEMORANDUM OF LAW IN SUPPORT OF
MOTION TO TRANSFER**

Respondents, by and through undersigned counsel, pursuant to Federal Rule of Civil Procedure 12(b)(3), submits this Memorandum of Law in support of Respondents' Motion to Transfer the case to the district where Petitioner was confined at the time he filed his Petition for Writ of Habeas Corpus ("Petition"), which is the Southern District of Georgia. For the reasons that follow, Respondents' motion should be granted.

FACTUAL BACKGROUND AND PROCEDURAL HISTORY

Petitioner Cesar Augusto Godoy Corrales ("Petitioner") is a native and citizen of Guatemala who entered the United States at an unknown location and date without being legally admitted, inspected or paroled by an immigration official. On February 17, 2026, ERO Baltimore's Fugitive Operations Team (FOT) traveled to Takoma Park, MD to conduct area enforcement of inadmissible aliens. While in the area, officers conducted checks on various vehicles, including that of the Petitioner as he was driving in Hyattsville, MD. The records check showed that the car was registered to Petitioner, and a second records check showed that Petitioner is an inadmissible non-citizen from Guatemala present in the United States without any immigration documents. During a brief interview, Petitioner admitted to being present in the United States without any

valid immigration documents. Officers arrested Petitioner, transported him to the Baltimore Field Office Hold Room, and served him with a Form I-200 Warrant for Arrest and Form I-862 Notice to Appear.

Petitioner was transferred out of the District of Maryland because no ICE detention facilities exist in Maryland. Under Maryland's Dignity Not Detention Act, state and local governments are prohibited from entering into contracts with ICE to detain individuals for federal civil immigration violations. Dignity Not Detention Act, H.B. 16, 2021 Leg., 443rd Sess. (Md. 2021). And Petitioner could not stay in the ICE Baltimore Hold Room because it is intended only for temporary custody of aliens while they are being processed and transferred to a facility designed for longer-term detention. Indeed, the very issue of how long an alien can be detained in the Hold Room is currently being litigated in this Court. *See D.N.N. v. Baker*, Civil No. 25-cv-1613-JRR.

On February 19, 2026, Petitioner was booked out of the Baltimore Hold Room and transferred to the River Correctional Center in Ferriday, Louisiana. On February 21, 2026, Petitioner was booked out of the River Correctional Center and transferred to the Folkston Main ICE Processing Center in Folkston, Georgia. He filed his Petition on February 25, 2026.

LEGAL STANDARD

"A defendant may challenge the sufficiency of a plaintiff's choice of venue by way of a motion under Rule 12(b)(3)." *Stone v. Wells Fargo Bank, N.A.*, 361 F. Supp. 3d 539, 549 (D. Md. 2019). "In the Fourth Circuit, when a challenge to venue is raised under this rule, the plaintiff bears the burden of demonstrating that venue is appropriate." *Brito v. Major Energy Electric Servs., LLC*, 526 F. Supp. 3d 95, 109 (D. Md. 2021). Where venue is improper, a court should

either dismiss the case or transfer it to another district court in which it could have been brought. *See* Fed. R. Civ. P. 12(b)(3); 28 U.S.C. § 1406(a).

Further, “a court has no discretion to reach the merits of a case in which venue is improper and an objection to venue has been properly raised; the case must either be dismissed or transferred to a proper venue.” *FrenchPorte, LLC v. C.H.I. Overhead Doors, Inc.*, No. GJH-20-00467, 2021 WL 242499, at *3 (D. Md. Jan. 25, 2021). As such, when confronted with issues regarding the merits of the case, and a question of proper venue, a court must first resolve the venue question. *Id.* citing *SAMi—Systematic Analysis Mgmt., Inc. v. Omnivere Acquisitions, LLC*, No. RDB-19-2904, 2020 WL 1863292, at *3 (D. Md. Apr. 14, 2020); *Johnson v. Helicopter & Airplane Servs., Corp.*, 389 F. Supp. 509, 518 (D. Md. 1974).

ARGUMENT

I. The District of Confinement is Located in the Southern District of Georgia

For “over 100 years,” the Supreme Court has held that the proper respondent for a habeas petition challenging physical confinement is the person who has “immediate custody” of the petitioner. *Rumsfeld v. Padilla*, 542 U.S. 424, 434-35 (2004) (citing *Wales v. Whitney*, 114 U.S. 564, 574 (1885)) (emphasis added). The Supreme Court explained that “[t]he consistent use [in the habeas statute] of the definite article in reference to the custodian indicates that there is generally only one proper respondent to a given prisoner’s habeas petition.” *Id.* at 434 (quoting 28 U.S.C. §§ 2242-43). As such, the proper respondent is “[the] person who has the *immediate custody* of the party detained, with the power to produce the body of such party before the court or judge[.]” *Id.* at 435 (emphasis in original) (citing *Wales*, 114 U.S. at 574; *Braden v. 30th Judicial Cir. Ct.*, 410 U.S. 484, 494-95 (1973)). Consequently, “the default rule 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.” *Id.* (emphasis added).

The Supreme Court in *Padilla* also reiterated that 28 U.S.C. § 2241 contains a statutory limiting clause, which requires a district court issuing a habeas writ to have jurisdiction over the custodian of the petitioner. 542 U.S. at 442. For core habeas petitions challenging present physical confinement, this singular custodian is the warden of the facility where the petitioner is confined. *Id.* at 435; accord *Trump v. J.G.G.*, 604 U.S. ---, 145 S. Ct. 1003, 1005 (2025) (per curiam). A facility warden is by definition located at her facility, and thus, “[b]y definition, the immediate custodian and the prisoner reside in the same district.” *Padilla*, 542 U.S. at 444. Consequently, as the Supreme Court explained, in habeas challenges to “present physical confinement” the district of confinement also determines and “*is synonymous with the district court that has territorial jurisdiction over the proper respondent.*” *Id.* (emphasis added). The district-of-confinement rule is a “bright-light rule,” which contains no exceptions except those carved out in §§ 2241(d) and 2255, which are not applicable to this current action. *Id.* at 449-50.

Petitioner is in custody in Georgia, not Maryland, and has been detained in Georgia since well before this habeas action was filed. Petitioner was transferred from Maryland on February 17, 2026, and arrived in Folkston, Georgia on February 22, 2026, which is where he was located on February 25 when this Petition was filed and where he is currently detained.

Detention History

Person ID: 21205027

Controlling A-Number: 

Name: Godoy Corrales, Cesar Augusto

A-Number	Subject ID	Case ID	Book In Date	Book In DCO	Detention Location	Book Out Date	Release / Book Out Type	Days In Custody	Days In Facility
			02/22/2026	FOK	FOLKSTON MAIN IPC	In Custody		10	5
			1034						
			02/19/2026	OAK	River Correctional Center	02/21/2026	Transferred - FOK	10	2
			1555			0949			
			02/17/2026	BAL	BALTIMORE HOLD ROOM	02/19/2026	Transferred - OAK	10	2
			2037			1550			

The proper jurisdiction in which Petitioner can challenge his confinement is the district in which he is confined, which, in this case, is the Southern District of Georgia, not the District of Maryland.

In a similar case where an immigration detention Habeas Petition was not filed with this Court until several hours after the Petitioner had left the jurisdiction, Judge Xinis of this Court noted that there was “no convincing basis to depart from the immediate custodian rule” and as such “the Court lack[ed] the power to adjudicate the Petition.” *Hernandez Escalante v. Noem*, Case 1:25-cv-01799-PX, Opinion at ECF 18, June 25, 2025, citing *Rumsfeld v. Padilla*, 542 U.S. 426, 442-43 (2004). Judge Boardman reached the same conclusion in *Urrea-Calderon v. Noem et al.*, 8:25-cv-03549-DLB, Opinion at ECF 11, November 3, 2025.

Here, as in those cases, the Petitioner was not moved to forum shop or for any nefarious purpose; he was moved because there is no place to ICE can use for longer term detention in Maryland, by law. Finally, just as in the *Urrea-Calderon* case, Petitioner here was unequivocally not in Maryland at the time the Petition was filed.

For the same reasons as those set forth in the opinions of Judge Xinis in *Hernandez Escalante* and Judge Boardman in *Urrea-Calderon*, this action should be transferred to the district in which Petitioner is confined, which in this case is the Southern District of Georgia.

CONCLUSION

Based on the foregoing, Respondents respectfully request that the Court grant their Motion to Dismiss, dismiss the above-captioned case for lack of subject-matter jurisdiction. Alternatively, this Court should transfer the instant habeas petition to the Middle District of Florida, where Petitioner is being detained.

March 9, 2026

Respectfully submitted,

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