

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

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ELDAR MURATOV,

Petitioner,

v.

Case No. 3:26-cv-01110-JEP-PDB

RONNIE WOODALL, *et al.*

Respondents.

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**PETITIONER'S RESPONSE IN OPPOSITION TO RESPONDENT WARDEN RONNIE
WOODALL'S MOTION TO DISMISS PETITION FOR WRIT OF HABEAS CORPUS**

Petitioner Eldar Muratov respectfully submits this Response in Opposition to Respondent Warden Ronnie Woodall's Motion to Dismiss Petition for Writ of Habeas Corpus. Doc. 18. The motion should be denied.

Respondent Woodall is the warden of the facility where Mr. Muratov is physically detained. Under the ordinary habeas rule, the proper respondent in a challenge to present physical confinement is the petitioner's immediate custodian—the official with day-to-day control over the petitioner's body and the ability to produce him before the Court. See *Rumsfeld v. Padilla*, 542 U.S. 426, 434–35, 439–42 (2004). The Warden is at least a proper respondent under that rule.

The Warden asks this Court to hold that he is not a proper respondent because ICE ultimately controls immigration custody and release decisions. But that argument does not defeat the immediate-custodian rule. A facility warden often lacks independent legal authority to release a detainee absent direction from the sovereign that ordered detention. That does not make the warden an improper habeas respondent. The relevant point is that the Warden exercises immediate

physical custody over Mr. Muratov and is the official who can produce him before the Court and implement any release order in coordination with the federal immigration officials who control immigration custody.

The motion should also be denied because Mr. Muratov named both his immediate physical custodian and the federal immigration officials responsible for his detention. Thus, even under the Warden's preferred theory, the Petition already includes the ICE official whom the Warden contends is the proper respondent. Dismissal with prejudice of the Warden is unnecessary, and dismissal of the Petition is plainly unwarranted.

Since the Petition was filed, the Immigration Judge issued a May 28, 2026 order pretermittting Mr. Muratov's applications for asylum, withholding of removal, and protection under the Convention Against Torture, and separately ordered him removed to Kazakhstan or, in the alternative, Russia. The order reflects that Mr. Muratov reserved appeal and that the appeal deadline was June 29, 2026. See Opp'n **Ex. A**. Mr. Muratov timely filed a Notice of Appeal with the Board of Immigration Appeals on June 5, 2026. See Opp'n **Ex. B**. Accordingly, the Immigration Judge's removal order is not administratively final, and execution of that order is automatically stayed while the BIA appeal remains pending. See 8 U.S.C. § 1101(a)(47)(B); 8 C.F.R. §§ 1003.6(a), 1241.1. This case therefore remains a challenge to present physical custody while immigration proceedings continue, and the Warden remains a proper respondent as Mr. Muratov's immediate physical custodian.

I. THE WARDEN IS A PROPER RESPONDENT BECAUSE HE IS MR. MURATOV'S IMMEDIATE PHYSICAL CUSTODIAN.

The federal habeas statute provides that an application for writ of habeas corpus shall allege "the name of the person who has custody over" the petitioner. 28 U.S.C. § 2242. The writ or order to show cause is directed to "the person having custody of the person detained." 28 U.S.C. § 2243.

In *Padilla*, the Supreme Court reaffirmed the “immediate custodian” rule: “[i]n challenges to present physical confinement,” the proper respondent is ordinarily “the warden of the facility where the prisoner is being held.” 542 U.S. at 435. The Court further explained that the proper respondent is the person with “the ability to produce the prisoner’s body before the habeas court.” *Id.* The Court rejected an approach that would substitute supervisory officials with legal control for the petitioner’s immediate physical custodian. *Id.* at 439–42.

That rule applies here. Mr. Muratov is challenging present physical confinement. He is detained at Florida Baker Correctional Institution. Respondent Woodall is the Warden of that facility. He is therefore the official who exercises immediate physical control over Mr. Muratov’s body and who, upon direction from this Court and the federal immigration respondents, would implement any order requiring production or release.

Respondent Woodall argues that ICE controls immigration detention decisions. But *Padilla* rejected the idea that the proper habeas respondent is necessarily the official with ultimate legal or policy control. *Id.* at 439–42. The immediate custodian is the proper respondent even where higher-level officials retain ultimate authority over the legal basis for detention. *Id.* at 435. Otherwise, the immediate-custodian rule would be displaced in nearly every case involving federal custody, because facility wardens ordinarily do not create the legal basis for detention; they physically hold the person detained.

II. THE SUPREME COURT DID NOT CREATE AN IMMIGRATION EXCEPTION TO THE IMMEDIATE-CUSTODIAN RULE.

Respondent Woodall relies on *Padilla*’s footnote recognizing that the Supreme Court had left open whether the Attorney General may also be a proper respondent in an immigration habeas case. See *Padilla*, 542 U.S. at 435–36 n.8. But that footnote does not hold that a facility warden is

improper in immigration detention cases. It means only that the Supreme Court did not decide whether a higher-level federal immigration official may also be a proper respondent.

That distinction matters. The possibility that an ICE official may be a proper respondent does not make the Warden improper. At most, immigration detention may permit naming both the immediate physical custodian and the federal official with legal authority over immigration custody. That is exactly what Mr. Muratov did. The Petition names Warden Woodall as immediate custodian and also names ICE and DHS officials responsible for the immigration detention decision.

The Middle District of Florida has repeatedly declined to dismiss wardens from immigration habeas actions on this same theory. In *Lara-Reyes v. Warden*, the Court recognized the uncertainty in the case law but declined to find that the warden was not a proper respondent because the warden remained the immediate custodian and was presumably the person who, upon ICE's direction, would open the door to release the detainee. No. 3:25-cv-1618-MMH, 2026 WL 733712, at *5 (M.D. Fla. Mar. 16, 2026). In *Jimenez v. Mordant*, another judge of this Court rejected the same argument, explaining that although the Warden's position had some practical appeal, it "runs headlong into a firm rule of law." No. 2:26-cv-451-KCD, 2026 WL 820536, at *1 (M.D. Fla. Mar. 25, 2026).

Judge Pratt has also rejected this same improper-respondent argument. In *Franco v. Warden, Baker County Detention Center*, Judge Pratt denied the warden's motion to dismiss, relying on *Lara-Reyes* and *Jimenez* and agreeing that the Warden remained a proper respondent. No. 3:26-cv-176-JEP-SJH, 2026 WL 1004571, at *7–8 (M.D. Fla. Apr. 22, 2026). In *Doval v. Warden, Baker County Detention Center*, Judge Pratt again denied a warden's motion to dismiss

in a § 2241 immigration detention case. No. 3:26-cv-247-JEP-SJH, Doc. 8 at 8–9 (M.D. Fla. Apr. 29, 2026) (denying warden’s motion to dismiss for the reasons stated in *Lanvin-Valdez*).

The same result is warranted here. Respondent Woodall’s motion candidly acknowledges that this Court and other courts in this District have rejected his improper-respondent argument. Doc. 18 at 1 n.1. Nothing in the motion justifies a different result in this case.

III. THE WARDEN’S RELIANCE ON ICE’S CONTROL OVER IMMIGRATION CUSTODY DOES NOT REQUIRE DISMISSAL.

The Warden argues that he is not a proper respondent because Florida Baker Correctional Institution is a non-federal facility and because ICE allegedly controls admission, transfer, detention, and release decisions. Doc. 18 at 6–13. That argument does not require dismissal.

First, the Warden’s premise does not defeat immediate custody. A habeas respondent need not be the official who made the detention decision. The immediate custodian is the official who physically holds the detainee and can produce him. *Padilla*, 542 U.S. at 434–35. The Warden’s asserted lack of independent authority to release Mr. Muratov absent ICE direction does not make him improper; it merely explains why Petitioner also named the federal immigration officials responsible for custody decisions.

Second, the cases on which the Warden relies do not compel dismissal. Some courts have concluded that the ICE field office director is the better or proper respondent where a noncitizen is housed in a contract detention facility. See, e.g., *Masingene v. Martin*, 424 F. Supp. 3d 1298, 1302 (S.D. Fla. 2020). But those cases do not establish that a warden exercising immediate physical custody is categorically improper, especially where the federal immigration officials are also named and have appeared. They reflect a prudential effort to ensure that the court has before it the official with legal authority over immigration custody. That concern is absent here because Petitioner has already named the relevant federal immigration officials.

Third, dismissal of the Warden would serve no practical purpose. The Federal Respondents have appeared and defended the legality of Mr. Muratov's detention. Doc. 19. The Warden is not being asked to litigate immigration policy alone. The concern that a non-federal warden would be the sole defender of the federal government's interests is not present in this case.

Fourth, Respondent Woodall's motion asks for dismissal "with prejudice." That relief is improper. At most, if the Court were to conclude that the Warden is not a necessary respondent, the proper remedy would be to drop him as a party without prejudice under Federal Rule of Civil Procedure 21 while permitting the habeas action to proceed against the federal immigration respondents. A proper-respondent dispute is not a merits adjudication of Mr. Muratov's habeas claim and should not result in any dismissal with prejudice.

IV. THE PENDING BIA APPEAL CONFIRMS THAT THIS CASE REMAINS A CHALLENGE TO PRESENT, NON-FINAL-ORDER CUSTODY.

The post-petition immigration-court development does not support the Warden's motion. To the contrary, it confirms that this case remains a challenge to present physical confinement while administrative immigration proceedings continue.

The Immigration Judge entered a removal order on May 28, 2026. See Opp'n Ex. A. But Mr. Muratov timely appealed to the BIA on June 5, 2026. See Opp'n Ex. B. Because the appeal was timely, the Immigration Judge's order is not administratively final. See 8 U.S.C. § 1101(a)(47)(B); 8 C.F.R. § 1241.1. The order also cannot be executed while the BIA appeal remains pending. See 8 C.F.R. § 1003.6(a). Thus, the removal period under 8 U.S.C. § 1231(a) has not begun.

This matters because Mr. Muratov remains in ongoing civil immigration custody, and this Court's habeas jurisdiction continues to address his present physical detention. The Warden remains the official with immediate physical custody over Mr. Muratov at Florida Baker

Correctional Institution. He remains able to produce Mr. Muratov before the Court and to implement any order requiring release in coordination with the federal immigration respondents. Nothing about the May 28 Immigration Judge order or the pending BIA appeal makes the Warden an improper respondent.

V. THE COURT SHOULD NOT RESOLVE FACTUAL CONTROL ISSUES AGAINST PETITIONER ON A RULE 12(b)(6) MOTION.

Respondent Woodall moves under Rule 12(b)(6), but his argument depends heavily on factual assertions about contractual arrangements, 287(g) agreements, operational control, and ICE supervision. Even accepting the public materials cited by the Warden, they do not establish that the Warden lacks immediate physical custody over Mr. Muratov. They show, at most, that federal and state/private actors share different aspects of control over immigration detainees. That does not overcome the immediate-custodian rule.

At the pleading stage, the Petition adequately alleges that Mr. Muratov is physically detained at Florida Baker Correctional Institution and that Warden Woodall is his immediate custodian. Those allegations are sufficient to name the Warden as a proper respondent under the ordinary habeas rule. The Warden's operational-control theory does not justify dismissal under Rule 12(b)(6), particularly where the Petition also names the federal immigration officials whom the Warden identifies as proper.

VI. IN THE ALTERNATIVE, THE COURT SHOULD ALLOW THE CASE TO PROCEED AGAINST THE FEDERAL RESPONDENTS.

Even if the Court were inclined to agree with the Warden's position, the motion should not affect the Petition or delay adjudication of Mr. Muratov's habeas claims. Mr. Muratov named Garrett J. Ripa, Field Office Director for ICE ERO Miami, Todd M. Lyons, Senior Official Performing the Duties of the Director of ICE, and Markwayne Mullin, Secretary of DHS. Those

federal respondents have appeared and filed a response defending Mr. Muratov's detention. Doc. 19.

Accordingly, if the Court concludes that the Warden is not a necessary respondent, Petitioner respectfully requests that the Court deny dismissal with prejudice and, at most, drop the Warden without prejudice while allowing the habeas case to proceed against the federal respondents. No defect in naming the Warden would justify dismissal of the Petition.

CONCLUSION

For the foregoing reasons, Petitioner respectfully requests that the Court deny Respondent Warden Ronnie Woodall's Motion to Dismiss Petition for Writ of Habeas Corpus. Doc. 18. In the alternative, if the Court concludes that the Warden need not remain as a respondent, Petitioner requests that the Court drop him without prejudice only and allow the Petition to proceed against the federal immigration respondents.

Dated: June 8, 2026

Respectfully submitted,

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CERTIFICATE OF SERVICE

I hereby certify that on June 8, 2026, I electronically filed the foregoing with the Clerk of Court using the Court's CM/ECF system, which provides notice to all counsel of record.

/s/ Vano I. Haroutunian
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