

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF GEORGIA
COLUMBUS DIVISION**

K.M.,	:	
	:	
Petitioner,	:	
	:	
v.	:	Case No. 4:24-cv-123-CDL-AGH
	:	28 U.S.C. § 2241
Warden, STEWART DETENTION	:	
CENTER, <i>et al.</i> ,	:	
	:	
Respondents. ¹	:	

ORDER

The Court received Petitioner’s application for habeas corpus relief under 28 U.S.C. § 2241 on September 10, 2024 (ECF No. 1). Having initially reviewed Petitioner’s application, the Court finds good cause to extend the time for a response. 28 U.S.C. § 2243. Accordingly, Respondent shall have twenty-one (21) days to file a comprehensive response to said application. Within fourteen (14) days thereafter, Petitioner should file any desired reply. The Court will consider whether to hold an evidentiary hearing once briefing is complete.

SO ORDERED, this 11th day of September, 2024.

s/ Amelia G. Helmick
UNITED STATES MAGISTRATE JUDGE

¹ Petitioner also names the United States Attorney General, the Secretary of the Department of Homeland Security, the Director of Immigration and Customs Enforcement (“ICE”), and the Atlanta field office director of ICE as respondents in his Petition. However, when a petitioner challenges the validity of physical confinement through a habeas application, “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.” *Rumsfeld v. Padilla*, 542 U.S. 426, 435 (2004). Accordingly, the Court will remove these respondents from the case and leave only the Warden of Stewart Detention Center, where Petitioner is currently detained, as Respondent. The Clerk is **DIRECTED** to correct the docket and case caption to reflect this change.