

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ALABAMA
MIDDLE DIVISION**

PITERSON R. MARTINEZ)	
MEDRANO,)	
)	
Petitioner,)	
)	
v.)	Case No. 4:15-CV-1477-VEH-JHE
)	
SHERIFF TODD ENTREKIN,)	
)	
Respondent.)	

MEMORANDUM OPINION AND ORDER

On August 27, 2015, Petitioner Piterson R. Martinez Medrano (“Medrano”) filed a petition for a writ of habeas corpus pursuant to 28 U.S.C. § 2241. (Doc. 1). Medrano is incarcerated at the Etowah County Detention Center, in the custody of the Bureau of Immigration and Customs Enforcement (“ICE”). (*Id.*). In his petition, Medrano named Etowah County Sheriff Todd Entrekin as Respondent. (*Id.*). Respondent now moves to substitute Scott Hassell, Warden of the Etowah County Detention Center, as the proper respondent. (Doc. 3).

The United States Supreme Court has held that, “[w]henver a § 2241 habeas petitioner seeks to challenge his present physical custody within the United States, he should name his warden as respondent” *Rumsfeld v. Padilla*, 542 U.S. 426, 447 (2004). Other remote supervisory officials are not proper respondents. *Id.* at 435. Because Scott Hassell is warden of the Etowah County

Detention Facility, where Medrano is incarcerated, and, therefore, is Medrano's immediate custodian, he is the proper respondent and Sheriff Entekin is not.

Based on the foregoing, the Respondent's motion to substitute a party, (doc. 3), is **GRANTED**. The Clerk is **DIRECTED** to **TERM** Sheriff Entekin and **SUBSTITUTE** Warden Scott Hassell in his place. It is **FURTHER ORDERED** that Respondent has **fourteen days** from the date of this order to file his response to the order to show cause, (doc. 2).

DONE and **ORDERED** this the 6th day of October, 2015.



VIRGINIA EMERSON HOPKINS
United States District Judge