

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF FLORIDA

CASE NO.: 26-60213-CV-MIDDLEBROOKS/Augustin-Birch

ALVARO DURAN LINARES,

Petitioner,

v.

JUAN GONZALEZ, *et al.*

Respondents.

---

**ORDER ADOPTING REPORT OF MAGISTRATE JUDGE**

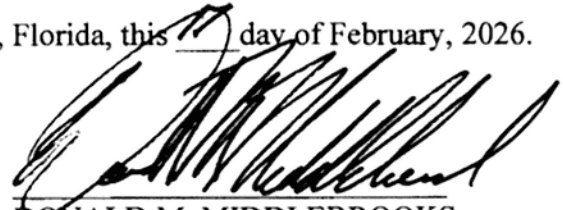
THIS CAUSE comes before the Court on Magistrate Judge Augustin-Birch's Report and Recommendations ("Report"), issued on February 6, 2026. (DE 8). The Report recommends granting Petitioner Alvaro Duran Linares' petition for habeas corpus relief pursuant to 28 U.S.C. § 2241. (*Id.*). Respondent filed objections to the Report on February 13, 2026 (DE 9).

I have conducted a *de novo* review of the Report, the briefing on objections, applicable law, and the record as a whole. Upon review, I agree with Magistrate Judge Augustin-Birch's conclusion that Mr. Linares' Petition should be granted. Accordingly, it is **ORDERED AND ADJUDGED** that:

- (1) Respondent's Objections to the Magistrate's Report (DE 9) are **OVERRULED**.
- (2) Magistrate Judge Augustin-Birch's Report (DE 8) is hereby **ADOPTED**.
- (3) Petitioner's Amended Petition for Habeas Corpus pursuant to 28 U.S.C. § 2241 (DE 11) is **GRANTED**, as set forth in the Report. Accordingly, Respondent shall either afford Petitioner a prompt, individualized bond hearing before an immigration judge or release Petitioner.

(4) The Clerk of Court shall **CLOSE THIS CASE** and deny any other pending motions **AS MOOT.**

**SIGNED** in Chambers at West Palm Beach, Florida, this 17 day of February, 2026.



DONALD M. MIDDLEBROOKS  
UNITED STATES DISTRICT JUDGE

Copies to: Counsel of Record