

UNITED STATES DISTRICT COURT
MIDDLE DISTRICT OF FLORIDA
FORT MYERS DIVISION

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Florentino Jose Alonso Garcia,
Petitioner,

v.

Case No.: 2:26-cv-00111-SPC-NPM

Garrett Ripa, Field Office Director
ERO Miami, Florida,
Respondent.

PETITION FOR WRIT OF HABEAS CORPUS

(Pursuant to 28 U.S.C. § 2241)

I. INTRODUCTION

Petitioner, Florentino Jose Alonso Garcia, through his wife and next friend, Juanita Brunson-Alonso, respectfully petitions this Court for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241, challenging his continued and unlawful detention by immigration authorities.

Mr. Alonso is currently detained at the South Florida Detention Facility (commonly referred to as “Alligator Alcatraz” located in Ochopee, Florida, within the jurisdiction of this Court.

Petitioner is unable to adequately seek relief on his own due to his detention, limited access to legal materials, and lack of meaningful access to writing supplies and the law library. Therefore, his wife files this petition on his behalf as “next friend” pursuant to 28 U.S.C. § 2242.

Mr. Alonso has been detained since November 7, 2025, after reporting for his annual ICE check-in at the Miramar Immigration Office. He has been held for a prolonged period with no

significant likelihood of removal in the reasonably foreseeable future. His continued detention violates the Due Process Clause of the Fifth Amendment.

II. JURISDICTION

This Court has jurisdiction pursuant to 28 U.S.C. § 2241 because Petitioner is in custody within the Middle District of Florida.

Venue is proper because Petitioner is detained within this District.

III. PETITIONER INFORMATION

Name: Florentino Jose Alonso Garcia

A-Number: [REDACTED]

Date of Birth: [REDACTED]

Place of Birth: Holguín, Cuba

Date of Entry: 1986

Entry point: El Paso, Texas

Petitioner has resided in the United States since September 10, 1986. His mother, Nora Garcia, became a United States citizen and passed away on November 14, 2020. His father is also deceased and became a United States citizen.

Petitioner is married to Juanita Brunson-Alonso (DOB [REDACTED] 1964), a United States citizen born in Miami, Florida. They were married on February 22, 2008. They own and reside at [REDACTED] Florida 33032, purchased in January 2015.

Petitioner has three adult United States citizen children and three grandchildren under the age of twelve. He also helped raise his stepdaughter from age four; she is now twenty-seven years old. Petitioner has no family remaining in Cuba.

IV. PROCEDURAL AND CASE HISTORY

Petitioner was placed in deportation proceedings on April 1, 1997 after failing to appear for a hearing. At that time, Petitioner had moved residences and did not receive notice of the hearing. He later became aware of the removal order when attempting to update his address.

Over the years, Petitioner sought assistance through Catholic Charities and other legal counsel. He was eventually placed under ICE supervision and required to report annually. He complied with all reporting requirements.

On November 7, 2025, Petitioner reported for his routine annual check-in at the Miramar ICE office and was taken into custody without warning.

Petitioner's criminal history consists primarily of minor traffic-related issues. The most recent citation involved operating a scooter without a valid license. He has no history of violent criminal conduct.

V. GROUNDS FOR HABEAS RELIEF

A. Prolonged Detention Without Significant Likelihood of Removal

Petitioner has been detained for a prolonged period, and there is no significant likelihood of removal in the reasonably foreseeable future.

Under *Zadvydas v. Davis*, 533 U.S. 678 (2001), post-removal-order detention is presumptively reasonable for six months. After that period, if there is no significant likelihood of removal in the reasonably foreseeable future, continued detention violates due process. However,

given the diplomatic and practical limitations regarding removals to Cuba, removal is not reasonably foreseeable. Petitioner has no family or support network in Cuba and fears persecution due to his family's history as political prisoners.

B. Violation of Fifth Amendment Due Process

Continued detention without a bond hearing and without a meaningful likelihood of removal violates Petitioner's Fifth Amendment right to due process.

Petitioner poses no danger to the community and no flight risk. He has strong family ties, a permanent residence, and long-term presence in the United States.

C. Serious Medical Needs and Inadequate Care

In 2013, Petitioner was struck by a vehicle while walking his dog and has required ongoing medical treatment and medication since that time.

While detained, ICE has failed to adequately provide necessary medication and medical care.

Petitioner's physical and mental health have significantly deteriorated in custody.

Continued detention under these medical circumstances constitutes unconstitutional punishment and deliberate indifference to serious medical needs.

D. Conditions of Confinement

Petitioner reports the following conditions:

- Limited outdoor access (approximately three days per week for less than 30 minutes)
- Inadequate nutrition
- Limited access to medical services
- Restricted mail and visitation
- Lack of windows and disorientation regarding time of day

These conditions further compound the constitutional concerns regarding prolonged detention.

VI. RELIEF REQUESTED

WHEREFORE, Petitioner respectfully requests that this Court:

1. Grant this Petition for Writ of Habeas Corpus.
2. Order Petitioner's immediate release from immigration custody;
OR, in the alternative,
3. Order a prompt individualized bond hearing before an immigration judge.
4. Grant any additional relief the Court deems just and proper.

Respectfully submitted,



Juanita Brunson-Alonso
Next Friend for Petitioner
February 12, 2026

VERIFICATION PURSUANT TO 28 U.S.C. § 2242

I, Juanita Brunson-Alonso, declare under penalty of perjury that I am the wife of Petitioner Florentino Jose Alonso Garcia and that the foregoing Petition is true and correct to the best of my knowledge and belief.

Executed this 12th day of February 2026.

Juanita Brunson-Alonso

SUPPORTING DOCUMENTS

- Marriage License
- Birth Certificates
- Medical Records
- Proof of Residence
- Evidence of Reporting Compliance
- I-485 & G-325A (Information purposes)
- Arrival /Departure Record (Information purposes)