

AO 242 (Rev. 09/17) Petition for a Writ of Habeas Corpus Under 28 U.S.C. § 2241

UNITED STATES DISTRICT COURT

for the

MAR 5 2026 AM 10:53
FILED - USDC - FLMD - FTMVLADIMIR PITALUGA LINARES

Petitioner

v.

Case No.

2:26 cv 634-KCD-DNF
(Supplied by Clerk of Court)ICE, BILL ALLEY, SOFT SIDE SOUTH (ALLIGATOR ALCATRAZ)
Respondent
(name of warden or authorized person having custody of petitioner)

PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

Personal Information

1. (a) Your full name: VLADIMIR PITALUGA LINARES
(b) Other names you have used: _____
2. Place of confinement:
(a) Name of institution: FLORIDA SOFT SIDE SOUTH (ALLIGATOR ALCATRAZ)
(b) Address: 54575 TAMiami TRAIL E.
OCHOPEE, FL 34141
(c) Your identification number: A# 
3. Are you currently being held on orders by:
☐ Federal authorities ☐ State authorities ☒ Other - explain:
ICE CUSTODY
4. Are you currently:
☐ A pretrial detainee (waiting for trial on criminal charges)
☐ Serving a sentence (incarceration, parole, probation, etc.) after having been convicted of a crime
If you are currently serving a sentence, provide:
(a) Name and location of court that sentenced you: _____
(b) Docket number of criminal case: _____
(c) Date of sentencing: _____
☐ Being held on an immigration charge
☒ Other (explain): ICE CUSTODY

Decision or Action You Are Challenging

5. What are you challenging in this petition:
☐ How your sentence is being carried out, calculated, or credited by prison or parole authorities (for example, revocation or calculation of good time credits)

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- ☐ Pretrial detention
☒ Immigration detention
☐ Detainer
☐ The validity of your conviction or sentence as imposed (for example, sentence beyond the statutory maximum or improperly calculated under the sentencing guidelines)
☐ Disciplinary proceedings
☐ Other (explain): _____

6. Provide more information about the decision or action you are challenging:

- (a) Name and location of the agency or court: FLORIDA SOFT SIDE SOUTH (ALLIGATOR ALCATRAZ)
54575 TAMiami TRAIL E. OCHOPEE, FL, 34141
 (b) Docket number, case number, or opinion number: _____
 (c) Decision or action you are challenging (for disciplinary proceedings, specify the penalties imposed):
ORDER OF SUPERVISION, 90 DAY CUSTODY REVIEW
 (d) Date of the decision or action: 10-30-25

Your Earlier Challenges of the Decision or Action

7. First appeal

Did you appeal the decision, file a grievance, or seek an administrative remedy?

☐ Yes ☒ No

(a) If "Yes," provide:

- (1) Name of the authority, agency, or court: _____
 (2) Date of filing: _____
 (3) Docket number, case number, or opinion number: _____
 (4) Result: _____
 (5) Date of result: _____
 (6) Issues raised: _____

(b) If you answered "No," explain why you did not appeal: _____

N/A

8. Second appeal

After the first appeal, did you file a second appeal to a higher authority, agency, or court?

☐ Yes ☒ No

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(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a second appeal: _____

N/A

9. **Third appeal**

After the second appeal, did you file a third appeal to a higher authority, agency, or court?

☐ Yes

☒ No

(a) If "Yes," provide:

(1) Name of the authority, agency, or court: _____

(2) Date of filing: _____

(3) Docket number, case number, or opinion number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

(b) If you answered "No," explain why you did not file a third appeal: _____

N/A

10. **Motion under 28 U.S.C. § 2255**

In this petition, are you challenging the validity of your conviction or sentence as imposed?

☐ Yes

☒ No

If "Yes," answer the following:

(a) Have you already filed a motion under 28 U.S.C. § 2255 that challenged this conviction or sentence?

☐ Yes

☒ No

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If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (b) Have you ever filed a motion in a United States Court of Appeals under 28 U.S.C. § 2244(b)(3)(A), seeking permission to file a second or successive Section 2255 motion to challenge this conviction or sentence?

☐ Yes

☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Case number: _____

(3) Date of filing: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

- (c) Explain why the remedy under 28 U.S.C. § 2255 is inadequate or ineffective to challenge your conviction or sentence: _____

N/A

11. **Appeals of immigration proceedings**

Does this case concern immigration proceedings?

☒ Yes

☐ No

If "Yes," provide:

(a) Date you were taken into immigration custody: 10-30-25

(b) Date of the removal or reinstatement order: _____

(c) Did you file an appeal with the Board of Immigration Appeals?

☐ Yes

☒ No

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If "Yes," provide:

(1) Date of filing: _____

(2) Case number: _____

(3) Result: _____

(4) Date of result: _____

(5) Issues raised: _____

(d) Did you appeal the decision to the United States Court of Appeals?

☐ Yes☒ No

If "Yes," provide:

(1) Name of court: _____

(2) Date of filing: _____

(3) Case number: _____

(4) Result: _____

(5) Date of result: _____

(6) Issues raised: _____

12. Other appeals

Other than the appeals you listed above, have you filed any other petition, application, or motion about the issues raised in this petition?

☒ Yes☐ No

If "Yes," provide:

(a) Kind of petition, motion, or application: PETITION FOR A WRIT OF HABEAS CORPUS UNDER 28 U.S.C. § 2241

(b) Name of the authority, agency, or court: UNITED STATES DISTRICT COURT

MIDDLE DISTRICT OF FLORIDA FORT MYERS DIVISION

(c) Date of filing: 2-5-26

(d) Docket number, case number, or opinion number: Case No. 2:26-cv-297-KCD-NPM

(e) Result: DISMISSED WITHOUT PREJUDICE, CASE CLOSED

(f) Date of result: 2-17-26

(g) Issues raised: LACK OF ACCESS TO THE COURTS, HAD TO DEMONSTRATE "NEXT FRIEND STATUS"

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Grounds for Your Challenge in This Petition

13. State every ground (reason) that supports your claim that you are being held in violation of the Constitution, laws, or treaties of the United States. Attach additional pages if you have more than four grounds. State the facts supporting each ground. Any legal arguments must be submitted in a separate memorandum.

GROUND ONE: ORDER OF SUPERVISION

(a) Supporting facts (Be brief. Do not cite cases or law.):

I HAVE BEEN CONSISTENTLY REPORTING TO ICE IN MIAMI, FLORIDA
IN COMPLIANCE WITH ALL THE REPORTING REQUIREMENTS, MAINTAINED
A STABLE RESIDENCE, I HAVE NOT BEEN INVOLVED IN ANY CRIMINAL
OR IMMIGRATION VIOLATIONS SINCE I STARTED REPORTING

(b) Did you present Ground One in all appeals that were available to you?

☐ Yes

☒ No

GROUND TWO: 90 DAY CUSTODY REVIEW

(a) Supporting facts (Be brief. Do not cite cases or law.):

I HAVE BEEN DETAINED FOR 115 DAYS AS OF TODAY 2-22-26. I HAVE NOT
BEEN NOTIFIED, INFORMED OR ADVISED ABOUT ANYTHING REGARDING
MY CASE.

(b) Did you present Ground Two in all appeals that were available to you?

☐ Yes

☒ No

GROUND THREE:

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Three in all appeals that were available to you?

☐ Yes

☒ No

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GROUND FOUR:

(a) Supporting facts (Be brief. Do not cite cases or law.):

(b) Did you present Ground Four in all appeals that were available to you?

☐ Yes

☒ No

14. If there are any grounds that you did not present in all appeals that were available to you, explain why you did not:

N/A

Request for Relief

15. State exactly what you want the court to do: I RESPECTFULLY REQUEST MY IMMEDIATE RELEASE FROM ICE CUSTODY AND TO BE PERMITTED TO REPORT BACK TO ICE IN MIRAMAR, FLORIDA. ACCORDING TO THE FIFTH AMENDMENT CLAUSE OF THE UNITED STATES CONSTITUTION, ICE IS VIOLATING MY DUE PROCESS AND MY RIGHT TO BE FREE FROM IMMIGRATION DETENTION, UNLESS OTHERWISE, WHICH LIES AT THE HEART OF THE LIBERTY.

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Declaration Under Penalty Of Perjury

If you are incarcerated, on what date did you place this petition in the prison mail system:

2-28-26

I declare under penalty of perjury that I am the petitioner, I have read this petition or had it read to me, and the information in this petition is true and correct. I understand that a false statement of a material fact may serve as the basis for prosecution for perjury.

Date:

2-28-26

VP

Signature of Petitioner

Signature of Attorney or other authorized person, if any