

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Abdiaziz A. D.,

Civ. No. 20-1218 (PAM/BRT)

Petitioner,

v.

ORDER

William Barr, Kevin McAleenan, Thomas
Homan, Peter Berg, and Kurt Freitag,

Respondents.

This matter is before the Court on the Report and Recommendation (“R&R”) of United States Magistrate Judge Becky R. Thorson dated September 3, 2020. (Docket No. 20). The R&R recommends granting the Petition in part and that Respondents provide Petitioner with a bond hearing. Respondents do not object to the R&R and have agreed to provide a bond hearing. (Docket No. 21.) Although Petitioner filed a “non-objection,” Petitioner in fact contends that the R&R erred by not determining the burden of proof the Government will bear at such a bond hearing. (Docket No. 22 at 2.) As this Court has previously found, however, any determination regarding the burden of proof is for the Immigration Judge in the first instance. See Order (Docket No. 18), Jenkins C. v. Barr, No. 20cv320, at 3 (D. Minn. May 20, 2020).

Accordingly, **IT IS HEREBY ORDERED that:**

1. The R&R (Docket No. 20) is **ADOPTED**;
2. The Petition (Docket No. 1) is **GRANTED in part**; and

3. An immigration judge shall provide Petitioner with a bond hearing within 30 days of this Order.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Date: September 15, 2020

s/ Paul A. Magnuson
Paul A. Magnuson
United States District Court Judge