



**U.S. Department of Justice**

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November 4, 2025

The Honorable John L. Sinatra, Jr.  
United States District Judge  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202

**Re: Cochancela v. Almodovar, et al.  
25-CV-00927-JLS**

Dear Judge Sinatra:

This action was filed in our District on or about September 25, 2025. I became aware of the filing through a LexisNexis alert I have set up to advise me if certain government officials are listed as defendants. Having not received any order in the matter (which sometimes happens if a filing fee is not paid or if the pleading is dismissed sua sponte), I checked CourtLink today and saw that on September 26, 2025, an order was issued by the Court directing the parties to submit a proposed briefing schedule by October 1, 2025 (ECF No. 7). Despite the email address for the government's habeas inbox being correctly spelled in the Order and the Order's directive that the Clerk serve a copy of the Petition and the Order on the habeas inbox, no such email was received by the habeas inbox. Thus, the government was never served. Petitioner's counsel also did not reach out about a proposed briefing schedule at any time. Because no government attorney had entered an appearance and because no email was sent to the habeas inbox, this Office was unaware of the order whatsoever.

Given the lack of a submission of a briefing schedule by Petitioner's counsel, the government would respectfully request that the usual 45-day response timeline be followed in this case.

Respectfully submitted,

MICHAEL DIGIACOMO  
Acting United States Attorney  
Western District of New York

BY: /s/ Adam A. Khalil  
Assistant United States Attorney