

UNITED STATES DISTRICT COURT  
WESTERN DISTRICT OF NEW YORK

TOMAS EDUARDO NEVAREZ JURADO,

Petitioner,

v.

25-CV-00943-LJV

JOSEPH FREDEN, in his official capacity as Field Office  
Director, Buffalo Field Office, U.S. Immigration and Customs  
Enforcement, et al.

Respondents.

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**NOTICE OF MOTION**

**MOVING PARTY:** Respondents

**PLACE:** The Honorable Lawrence J. Vilardo  
United States District Judge  
Robert H. Jackson United States Courthouse  
2 Niagara Square  
Buffalo, New York 14202

**RELIEF SOUGHT:** Respondents respectfully move for an Order  
dismissing the Petition pursuant to Federal Rule  
of Civil Procedure 12(b)(6).

**RETURN DATE:** Absent court order, Local Rule of Civil  
Procedure 12(b)(2)(B) provides that any  
responding papers be filed within 14 days of the  
motion and any reply filed within 7 days of the  
responding papers.

**PAPERS SUBMITTED:** Memorandum of Law, Declaration of Adam A.  
Khalil with Exhibits A, B, and C

Respondents reserve the right to submit reply papers to any opposition which may be  
filed.

Respectfully submitted,

MICHAEL DIGIACOMO  
United States Attorney  
Western District of New York

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DATED: November 14, 2025  
Rochester, New York