

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

YUSGLEIDY VILLA ALVAREZ,

Petitioner,

v.

Case No. 6:25-cv-06600-EAW

MICHAEL J. FILICETTI, in his official capacity as Sheriff of Niagara County, NY, KRISTI NOEM, in her official capacity as Secretary of Homeland Security, TODD M. LYONS, in his official capacity as Acting Director of Immigration and Customs Enforcement, and STEPHEN KURZDORFER, in his official capacity as Field Office Director, Buffalo Field Office, U.S. Immigration and Customs Enforcement, JOSEPH B. EDLOW, in his official capacity as Director, U.S. Citizenship and Immigration Services, and PAMELA BONDI, in her official capacity as Attorney General of the United States,

NOTICE OF MOTION

Respondents.

MOTION ON BEHALF OF:

Respondent Michael J. Filicetti, by his attorney, the Niagara County Attorney's Office.

DATE, TIME AND PLACE OF HEARING:

To be determined by this Court.

SUPPORTING PAPERS:

A declaration of Christopher Bopst, Esq., executed on November 12, 2025, and a Memorandum of Law dated November 12, 2025.

RELIEF REQUESTED:

An Order dismissing those claims filed against Respondent Michael J. Filicetti pursuant to Rule 12(b)(6) of the Federal Rules of Civil Procedure.

ANSWERING AFFIDAVITS:

Pursuant to Local Rule 7(b)(2)(B) of the United States District Court for the Western District of New York, absent a briefing schedule from this Court, responding papers, if any, must be filed within fourteen (14) days after service of this motion, and reply papers, if any, within seven (7) days after service of the responding papers.

REPLY PAPERS:

Respondent intends to serve reply papers, within seven (7) days after service of the responding papers.

Dated: November 12, 2025
Lockport, New York

By: /s/Christopher Bopst
CLAUDE A. JOERG, ESQ.
Niagara County Attorney
CHRISTOPHER BOPST, ESQ., of Counsel
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