

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

NOE DIAZ DIAZ,

Petitioner,

v.

25-CV-01122-LJV

PATRICIA HYDE, Filed Office Director, et al.,

Respondents.

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

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

Respectfully submitted,

MICHAEL DIGIACOMO
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Western District of New York

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DATED: November 14, 2025
Rochester, New York