

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

DIEGO DE PAZ VELASCO, also known as ERRIK
HERRERA DELLANOS,

Petitioner,

v.

25-CV-01236-LJV

TAMMY MARICH, in her official capacity as Acting Field
Office Director, Buffalo Field Office, Enforcement and Removal
Operations, U.S. Immigration & Customs Enforcement, et al.,

Respondents.

NOTICE OF MOTION

MOVING PARTY: Respondents

PLACE: The Honorable Lawrence J. Vilaro
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)(1) and (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: December 5, 2025
Rochester, New York