UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF NEW YORK

JOSE ALTAGRACIA FRANCO DE LA CRUZ,

Petitioner,

v. 25-CV-06699-MAV

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

Respondents.

NOTICE OF MOTION

MOVING PARTY:	Respondents
PLACE:	The Honorable Meredith A. Vacca United States District Judge Kenneth B. Keating Federal Building 100 State Street Rochester, New York 14614
RETURN DATE:	To be determined by the Court
RELIEF SOUGHT:	Respondent respectfully moves the Court for an Order dismissing the action pursuant to Federal Rule of Procedure 12(b)(6).
PAPERS SUBMITTED IN SUPPORT	Memorandum of Law

Respondents reserve the right to submit reply papers.

MICHAEL DIGIACOMO
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BY: /s/ADAM A. KHALIL
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DATED: December 2, 2025
Rochester, New York