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December 24, 2025

VIA ECF

The Honorable Judge Lawrence J. Vilardo
United States District Judge
Robert H. Jackson United States Courthouse
2 Niagara Square
Buffalo, NY 14202

Re: Castillo v. Freden, et al.
1:25-cv-01350-LJV

Dear Judge Vilardo:

In the spirit of the season (specifically, "A Christmas Carol"), the Respondents in this case have, at the "eleventh hour," demanded that the unlawfully detained Petitioner submit payment of the $6,500.00 bond (set at 5:00 p.m. on December 23, 2025) solely via in-person payment with a bank check at the Buffalo Service Processing Center outside their normal procedures.[1]

Respondents initially misrepresented to the Court (via e-mail to Ms. Demma and Ms. Izzo on December 23, 2025) that "Buffalo ICE ERO" was in fact, open for payment of bond on Christmas Eve. They only amended that misrepresentation after counsel for the Petitioner obtained written confirmation from a different ICE ERO office that ICE ERO is, in fact, closed today, as regards payment of bond. Despite the caution of this Honorable Court against games, Respondents appear to engaging in dilatory tactics by creating obstacles to the Petitioner's release to spend Christmas with his active-duty soldier son on limited holiday leave and the rest of their family. However, they will be unsuccessful, as the Petitioner's family will be meeting their demands despite having to drive overnight six hours to Batavia to obtain a bank check on a day when most large banks are closing early and having to forego the commitment of the non-profit Envision Freedom Fund to pay the Petitioner's bond at great personal cost.

Counsel for the Respondents has indicated that ICE intends to place the Petitioner on an ankle monitor despite payment of the bond and this Honorable Court's order because the order of the immigration judge states that "*DHS is authorized to implement any Alternatives to Detention it deems appropriate in its expertise as an additional requirement to the determined bond for release from custody.*" *See* ECF No. 14-1. However, the order of the immigration judge also explicitly found that "*...DHS did not establish dangerousness or flight risk by clear and convincing*

[1] Counsel for the Petitioner notes that no such option was offered by the Respondents during the status conference with the Court held on Monday, December 22, 2025 at noon in response to the Petitioner's Emergency Motion.

evidence" which was the requirement of this Honorable Court. *Id.*

On the basis of the foregoing, counsel for the Petitioner respectfully requests that this Honorable Court amend its order to clarify that the Respondents shall not place an ankle monitor on the Petitioner upon release today after in-person payment of the bond, and to order that the non-profit Envision Freedom Fund be allowed to substitute as Petitioner's bond obligor on December 30, 2025, by paying the $6,500.00 bond at the local ICE ERO office at 26 Federal Plaza in New York (enabling the family bond obligor paying today to be able to recoup their bond payment).

Very truly yours,

Amy Maldonado
Attorney at Law
Licensed in Illinois

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