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22 May 2026 A.D.

BY ECAS Filing

Hon. C. Kyle Dudek
Middle District of Florida, Fort Myers Division
U. S. Federal Courthouse
2110 First Street
Fort Myers, Florida 33901

Re: Habeas Petition of Diaz Garcia v. Warden 2:26-cv-771-KCD-NPM

Dear Judge Dudek:

I would just like to clarify for the record that my certification under Local R. 3.01(g) contained was overbroad, namely the “no opposition” of opposing counsel was as to the grant of a bond hearing pursuant to 8 U.S.C. § 1226, **only**, and not to the other relief that Petitioner requested (and which the Court denied in any case). Although it was an error on my part, I did not intend to mislead the Court. Nonetheless, I apologize that my blanket statement was overbroad.

Thank you for your consideration of and grant of the petition.

Sincerely,

/s/ *Christopher P. Benischek*

Christopher P. Benischek

Cc: Charles Harden, Asst. U. S. Att’y (by email)