



U.S. Department of Justice

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December 18, 2025

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

**Re: Caires v. Kurzdorfer, et al.
25-CV-01169-LJV**

Dear Judge Vilardo:

A bond hearing was held in this matter pursuant to this Court's Order. The immigration judge found that DHS met its burden of proof and bond was denied. The bond order is attached. Note that the bond order refers to "danger to property", which I anticipate relates to Petitioner's being involved in a car accident and leaving the scene, evincing danger to the community and disregard for the law. I have requested the digital audio recording in order to have a transcript prepared, should Petitioner wish to challenge the holding of this bond hearing as noncompliant with this Court's Order.

This constitutes the government's response pursuant to this Court's Order (ECF No. 17), unless further action is ordered.

Respectfully submitted,

MICHAEL DIGIACOMO
Acting United States Attorney
Western District of New York

BY: /s/ ADAM A. KHALIL
Assistant United States Attorney

Encl. – Bond Hearing Order (2 pages)



**UNITED STATES DEPARTMENT OF JUSTICE
EXECUTIVE OFFICE FOR IMMIGRATION REVIEW
BATAVIA IMMIGRATION COURT**

Respondent Name:

SILVA-CAIRES, DANIEL

To:

Damasceno, Vinicius
277 Main Street, Suite 305
Marlborough, MA 01752

A-Number:



Riders:

In Custody Redetermination Proceedings

Date:

12/18/2025

ORDER OF THE IMMIGRATION JUDGE

The respondent requested a custody redetermination pursuant to 8 C.F.R. § 1236. After full consideration of the evidence presented, the respondent's request for a change in custody status is hereby ordered:

- ☒ Denied, because
Bond remain no bond, the Department of Homeland Security met their burden of proof as to danger to property.
- ☐ Granted. It is ordered that Respondent be:
- ☐ released from custody on his own recognizance.
 - ☐ released from custody under bond of \$
 - ☐ other:
- ☒ Other:
Oral decision this date incorporated into this order by this reference.

B/E

Immigration Judge: COUNIHAN, BRIAN J 12/18/2025

Appeal: Department of Homeland Security: ☒ waived ☐ reserved
Respondent: ☐ waived ☒ reserved
Appeal Due: 01/20/2026

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Respondent Name : SILVA-CAIRES, DANIEL | A-Number :



Riders:

Date: 12/18/2025 By: Lang, Erika, Court Staff