

**UNITED STATES DISTRICT COURT
DISTRICT OF RHODE ISLAND**

BRYAN RAFAEL GÓMEZ,

Petitioner,

v.

MICHAEL NESSINGER, *et al.*,

Respondents.

Civil Action No.
26cv245-MRD-PAS

RESPONSE TO ORDER TO SHOW CAUSE

Undersigned counsel, Assistant U.S. Attorney Kevin Bolan, submits this response to the Court's order to show cause why the government should not be held in contempt for failing to notify the Court of all facts relevant to the Petitioner's dangerousness and/or criminal history. I submit this statement in advance of the Court's hearing scheduled for Monday, May 4, 2026, at 3 pm, at which I will appear.

Before the response was filed, I had been informed by ICE about the Petitioner's pending arrest warrant issued on January 24, 2023, from a court in the Dominican Republic and that I could not disclose that information. I was not aware that ICE had previously disclosed that same information on April 16, 2026.¹ In failing to disclose the information regarding Petitioner's criminal history, I relied on ICE's representation that I was not permitted to disclose that information and understood that a legitimate law enforcement reason prevented disclosure. Judge DuBose, therefore, lacked that information about the Petitioner's criminal background when she granted the petition.

I sincerely apologize to Judge DuBose, personally, and to the entire Court for the consequences of this lack of disclosure.

¹ ICE, Arrests 5 foreign fugitive wanted for murder in a month (Apr. 16, 2026).

Dated: May 1, 2026

Respectfully submitted,

TODD BLANCHE
Acting Attorney General

CHARLES C. CALENDIA
First Assistant U.S. Attorney
District of Rhode Island

/s/ Kevin Bolan

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CERTIFICATE OF SERVICE

I hereby certify that, on May 1, 2026, I filed the foregoing document through this Court's Electronic Case Filing (ECF) system, thereby serving it upon all registered users in accordance with Federal Rule of Civil Procedure 5(b)(2)(E) and Local Rule Gen 304.

/s/ Kevin Bolan

KEVIN BOLAN

Assistant United States Attorney