

Diane Sanchez
Clerk of District Court
Laramie County
Filed by: Rachel Gutierrez

FILED

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**IN THE DISTRICT COURT
FIRST JUDICIAL DISTRICT
LARAMIE COUNTY, WYOMING**

**KEVIN S. LEWIS and)
LICHTER & ASSOCIATES, P.C.,)
a Colorado corporation, D/B/A)
LICHTER IMMIGRATION,)**

Plaintiffs,

Case No. _____

**BRIAN KOZAK, Laramie)
County Sheriff and the)
LARAMIE COUNTY)
SHERIFF’S OFFICE,)**

Defendants.

COMPLAINT

NOW COME Plaintiffs Kevin S. Lewis and Lichter & Associates, P.C., d/b/a Lichter Immigration, and for their Complaint against Defendant Brian Kozak, Laramie County Sheriff, and the Laramie County Sheriff’s Office, state as follows in support thereof:

I. INTRODUCTION

1. This case presents a clear abuse of power and the violation of Wyoming statutes by the Laramie County Sheriff, Brian Kozak, and the Laramie County Sheriff's Office in willfully denying access to critical evidence material to immigration proceedings and proceedings before the United States District Court for the District of Colorado. For the purposes of declaratory judgment, this Complaint alleges that the Laramie County Sheriff and the Laramie County Sheriff's Office has engaged in the obstruction of justice by blocking access to critical evidence required in judicial proceedings. Blocking of access to critical evidence has come after the Laramie County Sheriff and Laramie County Sheriff's Office issued an initial report. A representative of the Cheyenne Police Department identified that report as a "complete fabrication." This Complaint asks for an order compelling the production of the evidence and, for the purposes of declaratory judgment, for a declaration by the Court that the Defendants have obstructed access to evidence material to ongoing legal proceedings.

II. THE PARTIES

2. Plaintiff Kevin S. Lewis is a citizen of Laramie County, Wyoming and is the investigator retained by Lichter & Associates, P.C. to gather evidence relating to immigration matter arising in Laramie County, Wyoming.

3. Plaintiff Lichter & Associates, P.C. d/b/a Lichter Immigration (“Lichter”) is a Colorado corporation and a law firm representing a person previously detained by the Laramie County Sheriff’s Office and the entity that retained Plaintiff Lewis to gather evidence relating to that case from the Laramie County Sheriff and Laramie County Sheriff’s Office.

4. Defendant Brian Kozak is the Laramie County Sheriff and is the person in control of the evidence at issue and is the official who sets and implements policy for the Laramie County Sheriff’s Office.

5. Defendant Laramie County Sheriff’s Office is a law enforcement governmental entity situated and operating within Laramie County, Wyoming and is the records custodian for the evidence sought under this Complaint.

III. JURISDICTION AND VENUE

6. This Court has jurisdiction over matters arising under or relating to the Wyoming Public Records Act, Wyo. Stat. § 16-4-201 et seq., under the Uniform Declaratory Judgment Act as adopted in Wyoming, as well as the Court’s general jurisdiction over the matters arising under this Complaint.

7. Venue is situated in this Court as the records request at issue was made in Laramie County, Wyoming and made of governmental officials and a governmental entity located in Laramie County, Wyoming.

IV. BACKGROUND FACTS

8. On April 23, 2026, the Laramie County Sheriff's Office, as part of a wider effort directed by Defendant Kozak, detained a person by the name of Mario Fabian Valenzuela Robles.

9. Plaintiff Lewis serves as an investigator. He was retained by Lichter & Associates, P.C. (doing business as "Lichter Immigration") to perform investigative work in connection with the detention of Mario Fabian Valenzuela Robles and to gather evidence relating to the detention. Both of the Plaintiffs have been retained by Mario Fabian Valenzuela Robles to act on his behalf in legal proceedings relating to his detention and to gather evidence relating to those proceedings and to parallel proceedings pending in the United States District Court for the District of Colorado.

10. On the morning of Friday, April 24, 2026, Plaintiff Lewis went to Defendants' records office. He found it closed, with a paper sign posted on the entrance.

11. Plaintiff Lewis then went to the Cheyenne Police Department to request records. An officer whose name he understood to be "Mooske" (spelling uncertain) searched for any data concerning the detention of Mario Fabian Valenzuela Robles and found none. She told Plaintiff Lewis that the computer system also showed the Sheriff's Office records, and that there was nothing to be found there either. He spent

approximately 45 minutes in the Cheyenne Police Department lobby seeking to locate records of the stop and detention.

12. On Monday, April 27, 2026, Plaintiff Lewis prepared a written records request for all evidence relating to Mr. Valenzuela Robles and took it to the Defendants' records office. A staff member told Plaintiff Lewis that there were no reports for the arrest or detention of Mr. Valenzuela Robles, and that Plaintiff Lewis would need to show that he represents Mr. Valenzuela Robles to view records under Wyoming law, citing Wyo. Stat. § 7-19-109.

13. On Wednesday, April 29, 2026, Plaintiff Lewis obtained written certification that he had been retained by Plaintiff Lichter as an investigator working on Mr. Valenzuela Roble's behalf. After he had been retained by Plaintiff Lichter, Plaintiff Lewis provided a letter certifying that he had been retained by Lichter in connection with Plaintiff Lichter's representation of Mr. Valenzuela Robles. A true and accurate copy of the letter retaining Plaintiff Lewis is attached hereto as Exhibit "A." Plaintiff Lewis then provided a revised records request on Lichter letterhead. A true and accurate copy of the records request is attached hereto as Exhibit "B."

14. Plaintiff Lewis again returned to the Defendants' records office and presented the request. A staff member told Plaintiff Lewis that they still did not have a report on the arrest or detention of Mr. Valenzuela Robles, and to come back in a couple of days. In the meantime, immigration proceedings that could lead to Mr.

Valenzuela Roble's removal were moving at a very fast pace and the records were vital to his defense.

15. On Friday, May 1, 2026, Plaintiff Lewis again returned to the Laramie County Sheriff's records office and again found it closed.

16. On Monday, May 4, 2026, Plaintiff Lewis returned to the Defendants' record office. A staff member again told Plaintiff Lewis that they had no records for the arrest or detention of Mario Fabian Valenzuela Robles. The staff member told Plaintiff Lewis that a date of birth would be needed to search, and that the "alien" or "A" number Plaintiff Lewis that had been provided did not yield results for the search. The staff member told Plaintiff Lewis that they had looked back as far as 2009 and located a record for a Mario Fabian Valenzuela Robles from 2009 but believed it was not the same person.

17. During that visit on May 4, 2026, a staff member told Plaintiff Lewis that if a person was not physically booked into the jail, the office would have no record of the event, even where local officers had assisted ICE in the field; that such an event would be categorized as an "assist" to an outside agency; and that ICE held custody in such cases.

18. Plaintiff Lewis asked the staff member about the digital media associated with the encounter, i.e., body and dash-camera footage. The staff member told Plaintiff Lewis that the office would not release such footage. Plaintiff Lewis stated

that he wished even to view the footage. The staff member told Plaintiff Lewis that without a definitive identification of the subject (which had already been provided), the office could not provide the footage.

19. On Thursday, May 21, 2026, Plaintiff Lewis again visited the Cheyenne Police Department. The representative of the Cheyenne Police Department again stated they were not involved in the arrest or detention of Mario Fabian Valenzuela Robles.

20. Plaintiff Lewis proceeded to Laramie County Sheriff's Office. A representative of the Defendants provided Plaintiff Lewis a report purporting to document the encounter, arrest and detention of Mario Fabian Valenzuela Robles. Among other things, the Report specifically indicated that there was no body camera footage, that all digital media was in collected by the Cheyenne Police Department, and the report detailed the identity of a Cheyenne Police Department officer involved in the encounter.

21. On the same day, Plaintiff Lewis returned to the Cheyenne Police Department to show the Cheyenne Police Department the Defendants' report of the arrest for the purpose to allow the Cheyenne Police Department to search for and produce the digital media that the Defendants stated was in the custody of the Cheyenne Police Department. The staff member in the Records Department of the Cheyenne Police Department (by the name of "Tiffany") reviewed the report from

the Laramie County Sheriff Office and, in an emphatic manner, declared the Defendants' report to be a "**complete fabrication.**" She again stated that the Cheyenne Police Department had not been involved in the stop and detention and that several details, including, for example, the identity of police personnel purportedly involved in the incident incorrectly identified officer "P76" as a "he" when P76 was actually a *she* and that officer P76 was on leave that day and could not have been involved in the stop. Tiffany also stated that the Report was being rewritten by Laramie County Sheriff's Office.

22. That same day, stunned by the assertion by the Cheyenne Police Department that the Defendants had created and issued a "complete fabrication" in official reporting, Plaintiff Lewis went to the Laramie County Attorney's Office. There Plaintiff Lewis was informed that a revised report would be forthcoming.

23. On Friday, May 22, 2026 the Defendants' records office was closed. Monday, May 25, 2026 was the Memorial Day Holiday and the Defendants' records office was closed on that day. On Tuesday, May 27, 2026, Plaintiff Lewis returned to the Defendants' records office and asked about a revised report. Defendants' staff member provided a revised report. The new report provided a completely different narration of events, including a statement that body camera footage was recorded and stored with the Laramie County Sheriff's Office, contradicting what the Defendants had before repeatedly stated.

24. Plaintiff Lewis continued to contact the Defendants' representatives to view the digital media until eventually, Lt. Haskins of the Laramie County Sheriff's Office made an appointment for Plaintiff Lewis to appear on June 1, 2026 to view the digital media in person. This was the date set for Mr. Valenzuela Roble's bond hearing in Aurora, Colorado. The timing of the appointment ensured that no digital media would be available to assist in Mr. Valenzuela Roble's defense and Mr. Valenzuela Robles's position that the stop had been unlawfully conducted.

25. The digital evidence Plaintiffs sought was (and remains) vital to the defense of immigration deportation proceedings in Colorado and in a related habeas corpus proceedings pending before the United States District Court for the District of Colorado.

26. On June 1, 2026, Plaintiff Lewis presented himself on the date established by Defendants' representative to view the digital evidence. Plaintiff Lewis was then told by Defendants' representative that he should be in receipt of an email from Lt. Haskins informing Plaintiff Lewis that he would not be allowed to view the digital media, and that Plaintiff Lewis should contact the County Attorney. Plaintiff Lewis reviewed his emails and found no such communication from Lt. Haskins.

27. In the period following the last communication with the Defendants' representatives, Plaintiff Lewis and counsel have held several discussions with the Laramie County Attorney to obtain the records. The Defendants have not produced

any records or digital media evidence relating to the arrest and/or detention of Mario Fabian Valenzuela Robles.

28. Given the timeline stated above, Plaintiffs assert that the Defendants have deliberately blocked access to evidence critical to pending legal proceedings and, in so doing, for the purposes of declaratory judgment, have engaged in, and are currently engaged in obstruction of justice.

V. CAUSES OF ACTION

(A) VIOLATION OF THE WYOMING PUBLIC RECORDS ACT, WYO. STAT. 16-4-201 ET SEQ.

29. Plaintiffs restate and allege as though restated word-for-word the matters set forth in Paragraphs 1-28 above.

30. Under the Wyoming Public Records Act, on behalf of their client, the Plaintiffs are statutorily entitled to all records, digital media, and all other evidence relating to the detention of Mario Fabian Valenzuela Robles and all actions taken by the Defendants relating to the detention of Mario Fabian Valenzuela Robles.

31. With the exception of the initial report and the revised report, the Defendants have refused to produce any other evidence, including the digital media of the stop and detention.

32. The Plaintiffs ask that the Court enter an order requiring the immediate production of all evidence relating to the stop and detention of Mr. Valenzuela Robles including the digital media evidence. To this end, the Plaintiffs ask for

expedited review of this matter and for the Court to hold an emergency hearing relating to the Defendants' blocking of access to evidence. This request is made as judicial proceedings are progressing and the Defendants' refusal to provide the evidence has already jeopardized the defense of Mr. Valenzuela Robles in, to date, three court filings and one hearing.

33. The Defendants have referred to Wyo. Stat. § 7-19-109(a) as governing the disposition of this matter. This statute likewise requires the production of the evidence. Where even the statute relied upon by the Defendants mandates the production of the evidence, the Defendants' refusal to produce the evidence shows the willfulness of the Defendants' refusal to produce the evidence.

34. Pursuant to Wyo. Stat. § 16-4-205, any person who knowingly or intentionally violates the provisions of the Public Records Act is liable for a penalty not to exceed \$750 and may be recovered in the instant proceeding. Plaintiffs ask that this Court find that the Defendants have knowingly and/or intentionally violated the provisions of the Public Records Act and be held liable for the penalty of \$750.

(B) DECLARATORY JUDGMENT

35. Plaintiffs restate and allege as though restated word-for-word the matters set forth in Paragraphs 1-32 above.

34. Under Wyo. Stat. § 1-37-103, any person whose legal relations affected by statute, may maintain an action under the Uniform Declaratory Judgment Act as adopted in Wyoming.

35. The Defendants have willfully obstructed access to evidence critical to ongoing legal proceedings in immigration court and to proceedings before the United States District Court for the District of Colorado.

36. The Plaintiffs have exhausted all avenues short of this litigation to obtain the evidence critical to those legal proceedings.

37. The Plaintiffs ask that the Court enter a finding that the Defendants have intentionally obstructed access to evidence and that such evidence was material to judicial proceedings.

VI. REQUEST FOR EMERGENCY HEARING

For the reasons stated, the Plaintiffs ask the Court to schedule an emergency hearing to compel the production of evidence being withheld by the Defendants.

DATED this 30th day of June, 2026.

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