

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY PENNSYLVANIA
-CRIMINAL DIVISION-

COMMONWEALTH OF PENNSYLVANIA

VS.

LUIGI NICHOLAS MANGIONE,

Defendant.

CP-07-CR-0002724-2024

 COPY

NOTICE OF DEFENDANT'S UNAVAILABILITY
FOR PERSONAL APPEARANCE IN THE BLAIR
COUNTY COURT OF COMMON PLEAS AND
PRAECIPE FOR CONSENT TO REMOTE
APPEARANCE

Filed on behalf of:
Commonwealth of Pennsylvania

Peter J Weeks, Esquire
District Attorney
Pa. ID # 201051
Nichole M. Smith, Esquire
First Assistant District Attorney
Pa. ID# 200855
Office of the District Attorney
Blair County Courthouse
423 Allegheny Street, Suite 421
Hollidaysburg, PA 16648
(814) 693-3010

Counsel of Record: Thomas M. Dickey,
Esq.

FILED
BLAIR COUNTY
ROBIN G. PATTON
2023 JUN 23 AM 8:36
CLERK OF COURTS
CLERK OF COMMON PLEAS COURT

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY PENNSYLVANIA
-CRIMINAL DIVISION-

COMMONWEALTH OF PENNSYLVANIA :
 :
VS. : CP-07-CR-0002724-2024
 :
LUIGI NICHOLAS MANGIONE, :
 :
Defendant. :
 :

NOTICE OF DEFENDANT'S UNAVAILABILITY FOR PERSONAL APPEARANCE IN
THE BLAIR COUNTY COURT OF COMMON PLEAS AND PRAECIPE FOR CONSENT
TO REMOTE APPEARANCE

AND NOW, comes the Commonwealth of Pennsylvania, by and through the District Attorney's Office of Blair County, and files this NOTICE OF DEFENDANT'S UNAVAILABILITY FOR PERSONAL APPEARANCE IN THE BLAIR COUNTY COURT OF COMMON PLEAS AND PRAECIPE FOR CONSENT TO REMOTE APPEARANCE and in support thereof avers the following:

1. Defendant, LUIGI NICHOLAS MANGIONE ("Defendant-Mangione"), was charged at the above-captioned criminal action numbers with FORGERY - UTTERS FORGED WRITING (18 Pa.C.S. §4101A3 F3), FIREARMS NOT TO BE CARRIED W/O LICENSE (18 Pa.C.S. §6106A1), TAMPER RECORDS OR IDENTIFICATION - WRITINGS (18 Pa.C.S. §4104A), POSSESS INSTRUMENT OF CRIME (18 Pa.C.S. §907(a)), and various related criminal offenses.
2. On or about December 19, 2024, Defendant-Mangione elected to waive his preliminary hearing with a preservation of habeas and then waived extradition to the State of New York where he faces homicide and related waivers would cause him to be removed from the jurisdiction of Blair County in order to first prosecute him on his homicide case, the undersigned served a

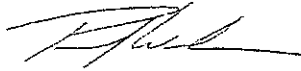
- detainer by email and hand service to secure Defendant-Mangione's appearance after his homicide prosecution.
3. Notably, the logistics and costs for the transportation and housing of Defendant-Mangione were significantly greater than a typical inmate due to the media and public attention generated by the New York allegations. Further, there were significant security concerns regarding the custody and transportation of Defendant-Mangione due to the public attention the case has received and the threats received by the criminal justice system regarding Defendant-Mangione's prosecution.
 4. Subsequent to Defendant-Mangione's custody being transferred from the Blair County Sheriff to the New York City Police Department, he was taken into custody by the United States Government on a federal indictment for homicide and related charges. Consequently, Defendant-Mangione was detained in a federal prison where he remains.
 5. The undersigned has been in communication with Assistant United States Attorney Frank Balsamello and the other United States Attorneys prosecuting Defendant-Mangione for the purposes of providing discovery to the United States Government and to ascertain whether Defendant-Mangione would be physically available for court appearances in Blair County during the pendency of his federal prosecution.
 6. On or about February 12, 2025, the undersigned received a letter from the United States Attorney Southern District of New York, which indicated that Defendant-Mangione would not be made physical available to Blair County until the disposition of his federal charges,

including any sentencing proceedings. The letter also indicates that Defendant-Mangione will be made available via videoconference should he elect to proceed in any or all stages of his Blair County prosecution remotely.

7. The Commonwealth received Defendant-Mangione's praecipe to schedule hearing and demand for personal appearance on or about June 20, 2025 and immediately reached out to the Federal Prosecutor's Office in New York.
8. On or about June 20, 2025, the undersigned received a letter from the United States Attorney Southern District of New York, which indicated that Defendant-Mangione would not be made physical available to Blair County until the disposition of his federal charges, including any sentencing proceedings. This letter is attached to the instant filing as "Exhibit A". The letter also indicates that Defendant-Mangione will be made available via videoconference should he elect to proceed in any or all stages of his Blair County prosecution remotely.
9. The position of the United States Attorney's Office regarding the physical unavailability of Defendant-Mangione has made Defendant-Mangione "unavailable" pursuant to Pa.R.Crim.P. 600. The Commonwealth's detainer reflects its intent to secure Defendant-Mangione once he is physically available for prosecution in Blair County.

WHEREFORE, the Commonwealth of Pennsylvania respectfully requests this Honorable Court to enter an order acknowledging receipt of the attached correspondence and Defendant-Mangione's unavailability pursuant to Pa.R.Crim.P. 600 unless Defendant-Mangione elects to appear via video conferencing.

Respectfully submitted,



Peter J. Weeks
Blair County District Attorney
Blair County District Attorney's Office
423 Allegheny Street., St. 421
Hollidaysburg, PA 16648
(814) 693-3010

Respectfully submitted,



Nichole M. Smith
First Assistant District Attorney
Blair County District Attorney's Office

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY PENNSYLVANIA
-CRIMINAL DIVISION-

COMMONWEALTH OF PENNSYLVANIA	:	
	:	
VS.	:	CP-07-CR-0002724-2024
	:	
LUIGI NICHOLAS MANGIONE,	:	
	:	
Defendant.	:	
	:	

ORDER

AND NOW, this _____ day of _____, 2025, upon review of Commonwealth's "Exhibit A", it is hereby ORDERED, DIRECTED, AND DECREED that Defendant-Mangione shall be deemed unavailable for purposes of Pa.R.Crim.P. 600 with the exception of any events that Defendant-Mangione elects to waive his right to appear personally and elects to participate via videoconferencing. Once the United States Government makes Defendant-Mangione physically available to Blair County for prosecution at docket CP-07-CR-0002724-2024, the Commonwealth shall provide notice to Defendant-Mangione's counsel, in order for said counsel to complete the necessary transportation order.

BY THE COURT:

_____ J.

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Defendant.

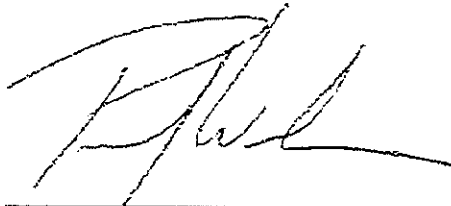
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CP-07-CR-0002724-2024

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,



Peter J Weeks
District Attorney

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY PENNSYLVANIA
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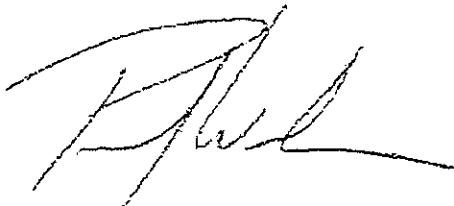
COMMONWEALTH OF PENNSYLVANIA	:	
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VS.	:	CP-07-CR-0002724-2024
	:	
LUIGI NICHOLAS MANGIONE,	:	
	:	
Defendant.	:	
	:	

CERTIFICATE OF SERVICE

I, Peter J Weeks, District Attorney, do hereby certify that
I have served on this day a true and correct copy of the foregoing
Motion via email to:

Thomas M Dickey, Esquire, Esq.
308 Orchard Avenue
Altoona, PA 16602

Date: June 23, 2025



Peter J Weeks, Esq.
For the Commonwealth

EXHIBIT "A"



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Jacob K. Javits Federal Building
26 Federal Plaza
New York, New York 10278*

June 20, 2025

BY EMAIL

Peter J. Weeks, Blair County District Attorney
Blair County District Attorney's Office
423 Allegheny Street, Suite 421
Hollidaysburg, PA

Re: **Luigi Mangione**

Dear Mr. Weeks:

As we discussed, the United States Attorney's Office for the Southern District of New York respectfully declines to authorize the physical return of defendant Luigi Mangione to your jurisdiction while the federal criminal charges in United States v. Mangione, 25 Cr. 176 (MMG) (S.D.N.Y.) are pending. The defendant has been indicted in the Southern District of New York, and the United States has filed its Notice of Intent to seek the death penalty. Given the substantial federal interest in prosecuting the defendant's actions in the Southern District of New York, the United States intends to keep custody of the defendant—pursuant to the federal writ and arrest warrant that were executed in this case—until the conclusion of the federal prosecution, including sentencing. Accordingly, our Office will instruct the United States Marshals not to honor any writ seeking to take custody of the defendant to appear in your jurisdiction. As we previously discussed, the BOP can make the defendant available to you for a video-conference or phone call, in the event his remote appearance is permissible in your proceedings.

We very much appreciate your understanding.

Respectfully submitted,

JAY CLAYTON
United States Attorney for the
Southern District of New York

by: /s/ Jun Xiang
Dominic A. Gentile / Jun Xiang /
Alexandra S. Messiter / Thomas John Wright
Assistant United States Attorneys
(212) 637-2289