

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

COMMONWEALTH OF PENNSYLVANIA :

VS. :

CP-07-CR-2724-2024

LUIGI MANGIONE, :

Defendant. :

PETITION FOR WRIT OF HABEAS CORPUS AD PROSEQUENDUM

AND NOW, comes the Commonwealth of Pennsylvania, by and through District Attorney Peter J. Weeks and First Assistant District Attorney Nichole Smith of the District Attorney of Blair County, Pennsylvania, and hereby files the instant Petition for Writ of Habeas Corpus Ad Prosequendum as follows:

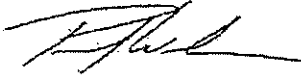
1. That the above captioned Defendant is a federal prisoner presently confined in the Metropolitan Detention Center located in Brooklyn, New York under registration number 52503-511 on charges of capital murder.
2. That the said Defendant has been charged in Blair County by criminal complaint filed before Magisterial District Justice Office 24-1-02 (seating the Honorable Benjamin Jones). The charges include *inter alia* Forgery, a violation of 18 Pa.C.S. §4101(a)(3); Firearms Not to Be Carried Without a License, a violation of 18 Pa.C.S. §6106(a)(1); Tampering with Records or Identification, a violation of 18 Pa.C.S. §4104(a); and Possession of Instruments of a Crime, a violation of 18 Pa.C.S. §907(a).
3. That after the filing of the criminal complaint and contemporaneously with the waiver of his preliminary hearing, Defendant waived extradition to the state of New York on December 19, 2024 after an arrest warrant was issued by the New York County court for the charge of Murder of the 1st Degree.

4. That immediately after waiving extradition, Defendant was both taken into custody from the courtroom; transported directly to an airport; and flown to New York state by New York City law enforcement.
5. That on December 19, 2024, Defendant was taken into federal custody in the city and state of New York on federal charges of Homicide.
6. That Defendant's Pennsylvania charges are currently pending before the Blair County Court of Common Pleas at the above-captioned docket.
7. That the Commonwealth of Pennsylvania has lodged a detainer for Defendant in New York and has been in constant communication with both the Manhattan District Attorney's Office as well as the prosecuting attorneys for the United States in the Southern District of New York.
8. That Defendant has subsequently filed a counseled omnibus pretrial motion seeking suppression of evidence and a habeas corpus review of the instant case.
9. That the Commonwealth has made multiple efforts to discuss with local counsel the opportunities available to allow Defendant to appear virtually in Blair County.
10. That notwithstanding the United States graciously offering to make the Defendant available to Pennsylvania via video conferencing, Defendant eschewed any virtual appearance options that would have precluded safety concerns for both law enforcement and the Defendant himself during the physical transport, instead filing a written demand for his in-person appearance in Blair County during the litigation of the aforesaid pretrial motions.
11. That Blair County District Attorney's Office is consequently constrained to request the production of Defendant for appearance in the Blair County Court of Common Pleas for the purpose of a suppression hearing on the Defendant's pretrial omnibus motions and would intend that his projected time and date of return to the United States Marshals occur immediately after conclusion of the omnibus pretrial hearing.

WHEREFORE, your petitioner prays this Honorable Court to issue a WRIT OF HABEAS CORPUS AD PROSEQUENDUM, requesting that the United States Marshal's Service release Defendant Mangione to the custody of the Blair County Sheriff's Department and/or other Blair County law enforcement who will assume full responsibility for the prisoner's custody and provide for the safekeeping; secure custody; and care of the prisoner at no cost to the federal government

in order to physically produce him before the Blair County Court of Common Pleas for litigation before the Court on Defendant's omnibus pretrial motion.

Respectfully Submitted,



Peter J. Weeks
District Attorney



Nichole M. Smith
First Assistant District Attorney

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Defendant.

CERTIFICATE OF SERVICE

I, Nichole M. Smith, First Assistant District Attorney, do hereby certify that I have served on this day a true and correct copy of the foregoing Memorandum of Law via email and postal mail to:

Thomas Dickey, Esquire
308 Orchard Avenue
Altoona, PA 16602
tmdlaw312@yahoo.com

Date: August 8, 2025



Nichole M. Smith
First Assistant District Attorney

FILED
BLAIR COUNTY
ROBIN G. PATTON
2025 AUG -8 PM 12:55
CLERK OF ORPHANS COURT