

1 SUPREME COURT: NEW YORK COUNTY
2 TRIAL TERM: PART 32

3 -----X
4 THE PEOPLE OF THE STATE OF NEW YORK

IND.#:
75657/2024

5 -against-

CHARGE:
MURDER 1

6 LUIGI MANGIONE

PROCEEDINGS:

7 Defendant.

8 -----X

100 Centre Street
New York, New York 10013

June 3, 2026

9
10 B E F O R E: HONORABLE GREGORY CARRO
11 Justice of the Supreme Court

12 A P P E A R A N C E S:

13 FOR THE PEOPLE:

14 ALVIN BRAGG, ESQ.
15 New York County District Attorney
16 One Hogan Place
17 New York, New York 10013
18 BY: JOEL SEIDEMANN, ESQ.
KRISTIN BAILEY, ESQ.
ZACHARY KAPLAN, ESQ.
ALEXANDER MICHAELS, ESQ.
19 Assistant District Attorneys

20 FOR THE DEFENDANT:

21 AGNIFILO INTRATER LLP
22 BY: KAREN FRIEDMAN AGNIFILO, ESQ.
MARC AGNIFILO, ESQ.
23 JACOB KAPLAN, ESQ.

24 Theresa Magniccari
25 Senior Court Reporter

1 (Whereupon, the following proceedings were held
2 virtually:)

3 THE CLERK: Good morning.

4 This is calendar Number 24, Indictment Number
5 75657 of 2024, Luigi Mangione.

6 May I have your appearances, please.

7 MR. SEIDEMANN: Joel Seidemann, Kristin Bailey,
8 Zachary Kaplan and Alexander Michaels.

9 Good morning, your Honor.

10 MS. FRIEDMAN AGNIFILO: Karen Friedman Agnifilo,
11 Marc Agnifilo and Jacob Kaplan on behalf of Mr. Mangione.

12 Good morning, your Honor.

13 Good morning, Ms. Berger.

14 THE COURT: Good morning.

15 So, at the defense request, if I have this
16 correct, you want this record, the minutes sealed here?

17 MS. FRIEDMAN AGNIFILO: Yes, your Honor.

18 THE COURT: All right.

19 So, the first thing we have to deal with is your
20 250.10 notice. All that was disclosed is that you're going
21 under 250.10 1(b), extreme emotional disturbance.

22 So, as of now, if you're calling an expert, you
23 need to give that expert's name to the People as well as
24 the C/V.

25 (Portion redacted.)

1 So, you have to detail whether the defendant
2 suffers any mental disease or defect that effects him,
3 caused the trigger that caused the extreme emotional
4 disturbance at the time of the event. That has to be
5 detailed. The expert must give his opinion in writing.

6 You're going to give the People the expert's
7 opinion, what that opinion is based on, any records,
8 whether they be medical records, psychiatric records, any
9 testing that the expert did or relied on all has to be
10 turned over to the People.

11 (Portion redacted.)

12 MS. FRIEDMAN AGNIFILO: Your Honor, may the
13 defense have an opportunity to make a record?

14 THE COURT: Yes.

15 MS. FRIEDMAN AGNIFILO: We want to both make a
16 record, but also clarify some of the things that your
17 Honor is saying right now. Would that be okay with your
18 Honor?

19 THE COURT: Sure.

20 MS. FRIEDMAN AGNIFILO: We would like to make a
21 record both about the sealing of this proceeding as well as
22 the 250.10 matter, and we appreciate the opportunity to be
23 heard and to make a full record.

24 So, we acknowledge by requesting that this
25 remain under seal that this is extraordinary, but we

1 believe an essential remedy, that this part of the
2 proceedings remain under seal despite there being a
3 presumption of openness to court proceedings.

4 We believe that this request is narrow. We
5 acknowledge that what we are seeking is an extraordinary
6 remedy, but we believe it is an essential remedy that this
7 part of the proceeding remain under seal. Despite there
8 being a presumption of openness to court proceedings, we
9 believe this is narrowly tailored as its only temporary
10 and we believe that this is the only remedy that will
11 preserve Mr. Mangione's rights to a fair trial in both
12 this case and his companion federal case. Specifically,
13 we're requesting that this remain -- that this part, the
14 250.10 part of the proceedings, remain under seal for the
15 time being until such time we are able to complete our
16 testing and determine whether or not we will proceed with
17 an extreme emotional disturbance defense, which will
18 obviously occur well before trial, which is three months
19 from now.

20 THE COURT: I am going to stop you. You haven't
21 completed your testing?

22 MS. FRIEDMAN AGNIFILO: I'm going to get to that
23 momentarily.

24 THE COURT: You've changed your reason for this
25 sealing over time. Okay. First, it was the death penalty.

1 The defendant was facing the death penalty.

2 (Portion redacted.)

3 You, obviously, were working on mitigation. My
4 thought is that the only mitigation that you would be
5 presenting to the Feds would be some kind of psychiatric
6 mitigation, so this has to have been all in the works for a
7 long time.

8 MS. FRIEDMAN AGNIFILO: It is, your Honor.

9 If your Honor would allow me to continue
10 explaining what we have done and continue to do, hopefully,
11 that will answer your questions.

12 Our reasoning, though, has not changed. The
13 posture of the cases have changed, and so, that is correct
14 that with the death penalty there is a mitigation portion,
15 but that occurs at sentencing, not at during the trial
16 phase, which the sentencing phase is a much later phase in
17 a federal death penalty case. So, yes, this has been in
18 the works since the beginning.

19 And if I may just be able to explain to your Honor
20 what it is that we've done, we would appreciate that
21 opportunity right now.

22 So, in this particular case, I just want to
23 finish why sealing is important because I want to have a
24 complete record about this, if I may, your Honor, and
25 then I am prepared to address in detail your Honor's

1 concerns about the testing and what we've been doing all
2 this time, and I will tell you in detail and tell the
3 People in detail what we've been doing.

4 So, here, there is an overriding interest that
5 closure is essential to preserve higher values and our
6 request is narrowly tailored to serve that interest.
7 This is an extraordinary case in several regards. Number
8 one, that there is this companion federal case, and number
9 two, that there is an extraordinary amount of publicity in
10 this case, almost unprecedented.

11 In fact, this Friday night Dateline is airing yet
12 another special on this case and is being billed as having
13 interviews with two major case detectives that are being
14 interviewed on camera in detail, who say they worked on
15 this case specifically.

16 Mr. Mangione has been prejudiced by law
17 enforcement since day one in this case. The reason
18 continued sealing is necessary here is because of the
19 potential defense that is available, extreme emotional
20 disturbance. That we served notice of our intention of
21 exploring this defense on September 30th of 2025, nine
22 months ago.

23 And, as you know, your Honor, if a defendant goes
24 with an EED defense, they're essentially admitting publicly
25 that they committed this crime. And due to the high

1 publicity in this case, not only will making this public
2 before we know for sure whether we are going with this
3 defense, it prejudices both this case and the federal case
4 because of the extraordinary publicity effecting potential
5 jurors.

6 And this is important because we are still in the
7 process of testing Mr. Mangione to determine what we will
8 be doing.

9 We are not delaying this testing intentionally,
10 and we have been working on testing and obtaining all
11 records since the case's inception. We're only in this
12 position not because of any fault of the defense, it's
13 because Mr. Mangione has two cases that he is being
14 prosecuted for, the same event twice. We've been informing
15 the Court and the People that we need more time, and let me
16 now explain why. Mr. Mangione logistically is in federal
17 custody, so any testing that we need done for this case
18 has to get a Court Order by the federal Judge even though
19 this particular testing is not related to a defense in her
20 case. We then have to organize it through the Bureau of
21 Prisons, and the logistical hurdles are immense, to say the
22 least.

23 In addition, we had to obtain voluminous medical
24 records that we have had to gather from multiple states.
25 This is not New York or Maryland only. This is multiple

1 states throughout the country.

2 (Portion redacted.)

3 That's records that we've had to try to get and
4 have been getting. It is not easy and it is not fast.

5 So, we also have had to face multiple levels of
6 cooperation from these medical facilities. Because of the
7 notoriety of this case, some doctors have refused to
8 cooperate, which is required as to go through the
9 interstate subpoena process and through their attorneys and
10 have litigation in that regard.

11 (Portion redacted.)

12 So, we submit, your Honor, that if this were his
13 only case and we presented your Honor with the information
14 that we are presenting you with, in addition to the
15 voluminous medical records, we believe that you, your
16 Honor, would give us more time to continue to do the
17 testing to determine the extent of what these issues are
18 and to what extent it has any relevance to an extreme
19 emotional disturbance defense.

20 Simply put, this case is maturing at a different
21 pace than the federal case because, as your Honor knows,
22 this defense is not available federally. We are not
23 intentionally delaying this case. In fact, in a recent
24 analysis of cases in New York City of murder trials, the
25 median New York City murder trial takes from indictment to

1 the start of trial 23 months. Mr. Mangione's trial will
2 occur at the 20 month mark. This means generally he is
3 proceeding three months faster as compared to other murder
4 cases in this jurisdiction and those are cases where
5 they're only fighting one case and they do not have the
6 complexities of this case.

7 However, the People have been desperate for this
8 case to go first because they know that if the federal
9 case, which is in a different posture goes first, that the
10 murder charges there will double jeopardy out the murder
11 charges here, and the People have suggested that we are
12 intentionally delaying this case merely to jeopardy them
13 out. That is not the case. We have been diligently trying
14 to run this defense down from the beginning and we will
15 continue to do so. Until we know the extent of his medical
16 issues, we are simply not in a position yet to know whether
17 we can and will move forward with this defense and whether
18 we will call an expert.

19 And the People have demanded a report from an
20 expert, yet no expert can write a report until all this
21 testing is completed.

22 (Portion redacted.)

23 The expert is telling us, our experts, and there
24 are multiple ones, are telling us what needs to be done,
25 and then they will guide us as to what expert we should

1 call and who will testify at this trial.

2 It's not necessarily the case that experts we are
3 consulting with who are telling us what type of testing to
4 be doing and who will be administering testing are the same
5 ones who can testify about criminal responsibility and to
6 what extent these issues are in play from a forensic
7 standpoint at any trial.

8 So, the People have been on notice since September
9 30th that we are exploring this defense. They have had
10 nine months to gather records, as we have been, but
11 apparently and inexplicably have not done so yet. They've
12 also inexplicably not sought to test Mr. Mangione
13 themselves, which is their right under 250.10.
14 Therefore, by their own admission, they too are not ready
15 for this case to proceed to trial in September either.
16 Yet, we are being pushed by this court to proceed solely
17 for the purpose of preventing double jeopardy. That's the
18 only reason this case is going in September.

19 But in order to keep this part of the proceedings
20 sealed for the time being, to assist the People to keep
21 their trial schedule that only prejudices Mr. Mangione,
22 we have agreed to assist them by consenting to allowing
23 them to domesticate their New York subpoenas in other
24 jurisdictions so they can obtain the out-of-state records
25 with the so-ordered judicial subpoena without the need to

1 domesticate the subpoena in the other states. This will
2 permit the People to get the records they need and to meet
3 the proffered defense as well.

4 There's no reason why this case has to proceed in
5 September other than this desperate attempt to beat the
6 Feds and get Mr. Mangione prosecuted twice.

7 But since this court has declined the defense's
8 numerous and repeated requests for more time, we do
9 respectfully request that this part of the proceeding
10 remain under seal for the time being.

11 And I want to assure the court, as an officer of
12 the court, we are proceeding as fast as we can in order to
13 be ready in September. These are not intentional delays,
14 these are logistical legitimate hurtles given the volume of
15 records that exist in this case and the additional testing
16 and logistical hurtles that are in play.

17 I just want to thank the Court for giving me this
18 opportunity to make this full record.

19 MR. SEIDEMANN: Your Honor, may I be heard?

20 THE COURT: Yes, but not at this moment.

21 Just a few things.

22 It was always this Court's intention that this
23 case would start in the Fall of 2026. I think I certainly
24 inferred that. It was never supposed to start in June like
25 it was. So, that's one.

1 Number two, well, maybe the defendant should be
2 transferred to city corrections so you would have more
3 access and your doctors would have more access to do
4 whatever testing they want to do, which can be done from
5 Rikers Island.

6 MS. FRIEDMAN AGNIFILO: Mr. Mangione's custody
7 status is not in our control. We've explored that early on
8 because we thought the same thing. We actually requested
9 this and we were denied that request by the federal
10 government.

11 THE COURT: Okay.

12 Yes, go ahead.

13 MR. SEIDEMANN: As to the 250.10 notice, counsel
14 has used shifting goal posts. First it was the death
15 penalty. That went away. But basically they're taking the
16 odd position that their defense somehow would prejudice
17 them.

18 Now, in the litigation over the sufficiency of the
19 terrorism charge, as a part of the record we have
20 defendant's admissions in his manifesto. It's hard to say
21 how the notice of extreme emotional disturbance would
22 impact us in any greater sense. In my 41 years I have
23 never seen such a notice sealed nor is there any
24 statutory or case law authority for such a notice to be
25 sealed.

1 I should also say that we have asked continuously
2 for proper notice both under 250.10 and 245.20,
3 subdivision 4. We will be ready on September 8th and we
4 see this attempt as nothing other than an attempt to
5 jeopardy out the case by claiming we have to review all
6 these records.

7 I'm somewhat shocked by the idea that counsel
8 could write in a letter that they're not calling an expert
9 and then come to this court under seal and say; well, look,
10 we have to do testing, we may call an expert.

11 Well, what have they been doing for the last 18
12 months. They have attempted against the specific statute
13 250.10 and 245.20, subdivision 4, to somehow shift the
14 burden of this disclosure to us. It's not our burden to
15 get records which support their defense. If we choose to
16 do so, we will do so. As it were, we already have gotten
17 the court to sign subpoenas which will be domesticated,
18 we will be ready on September 8th come hell or high water
19 and we see this as nothing other than an attempt after
20 18 months of doing nothing to try to run out the clock on
21 us.

22 It's hard to see how Ms. Friedman Agnifilo can say
23 this was a surprise.

24 (Portion redacted.)

25 For them to have slept on their rights over the

1 last 18 months and come to this court and say, we can't
2 try this case because we need records, I think that if the
3 Court looks at our letter, looks at the dictates both of
4 the CPL 250.10 statute, People v. Almonor, People v.
5 Sidbury and People v. Bender, which was decided in 2026,
6 the slip opinion, there is ample basis right now to
7 preclude the defense from introducing such a defense.

8 (Portion redacted).

9 So, how is it that our expert could focus in on
10 this theory, how is it their expert could go in and make a
11 determination as to what questions to ask of the defendant,
12 how is it that our expert could research scholarly articles
13 by saying it's under 250.10.

14 That notice is defective, and I think what the
15 Court should do is require them to give notice within a
16 deadline, require them to indicate whether they're calling
17 this witness within a two week deadline, so the court could
18 adhere to its schedule. This is nothing other than really
19 a negative attempt to jeopardy us out. To say otherwise,
20 it wasn't our obligation during the last 18 months.

21 The other thing, it's clear that counsel has had
22 in its possession medical records that they may seek to
23 rely upon, and they're playing hide the ball. That was
24 the whole essence of what People v. Almonor was speaking
25 of. This shouldn't be trial by ambush. This shouldn't be

1 trial by surprise. We haven't gotten any notice worth
2 anything and we are entitled to it and we have retained an
3 expert who is willing to go and examine it.

4 By the way, we could choose not to examine, that's
5 not us sleeping on our rights, that is a tactical decision.
6 But as the Court is well familiar and counsel should be
7 also, we have no basis to know what the focus should be
8 without proper notice.

9 We should be clear also to the court and counsel
10 that even if the only source of this EED defense were the
11 defendant that too would require notice.

12 People v. Rivers, 281 AD 2d 348 (2001), in that
13 case it says that oral notice is not notice.

14 We have no basis really now as it stands to do
15 the sort of examination which was contemplated by 250.10,
16 by 245.20, subdivision 4. I ask the Court, in order to
17 ensure the fact that the September 8th schedule is adhered
18 to, to set hard and fast deadlines for reports, to order
19 them to turn over records that have been in their
20 possession that may relate to this defense.

21 (Portion redacted.)

22 Reciprocal discovery should mean reciprocal
23 discovery. It shouldn't be a one way street. We've turned
24 over terabytes of information and have gotten nothing in
25 return.

1 Should the Court allow the defendant to try to run
2 out the clock, it's one of two things that will happen,
3 we'll be deprived of our day in court in a case which was
4 investigated by NYPD, by DANY, by OCME in Altoona, which
5 impacted the City of New York. And as the Court indicated,
6 this is the proper place for it to be tried. Where the
7 other alternative is, they give this notice at a point
8 solely in the game that this would serve mid-trial for us
9 to have to figure out the logistics of examining the
10 defendant and getting a report while the jury sits in the
11 jury room cooling their heels. Either result is an
12 unfortunate one, which the Court can prevent by ordering
13 them to do what they should have done months ago.

14 And I think there is no other conclusion that one
15 can draw from this other than the fact that this is an
16 opportunity, I think that Ms. Friedman Agnifilo mentioned
17 it candidly in June, I believe, in one of the court
18 appearances, where she said it would be ineffective
19 assistance of counsel not to try to jeopardy out the case.
20 That, in essence, is what this is about. It's plain and
21 simple.

22 So, the two things that we're asking is to unseal
23 the record, there is no basis for it; give them hard
24 deadlines to comply, and let us try the case on September
25 8th and not deprive the People of the State of New York of

1 their day in court.

2 THE COURT: Well, first of all, this case is
3 starting September 8th. The question is, how long is the
4 case going to be. That's a question based upon this.
5 The Federal Court has agreed that this case will go first.
6 So, any delay is just going to delay and go down the line.
7 That's number one.

8 And, number two, I already ordered, and you should
9 understand that that is an order which is on the record,
10 that you turn over any reports relied on, any medical
11 records relied on, that your expert relied on in his or
12 her tentative opinions as of now. Turn that over. Turn
13 over the C/V of the expert that you are going to call at
14 trial.

15 And, again, this malady that the defendant
16 suffers, that you think there is going to be an opinion
17 based on, cause of extreme emotional disturbance, all that
18 has to be done.

19 I'm going to give you a timeline in a minute.

20 You want to respond, go ahead.

21 MS. FRIEDMAN AGNIFILO: I just wanted to respond
22 to something Mr. Seidemann said.

23 You know, Mr. Seidemann has been a prosecutor for
24 four decades and he's an expert in many areas. In
25 particular, he is an expert in the area of psychiatric

1 defenses, I assume, and that is one of the reasons the
2 Manhattan District Attorney's office in their discretion
3 assigned someone that has such an expertise to a case like
4 this because I believe he too thought this had a potential
5 for a psychiatric defense. So, for him for the last nine
6 months to not be gathering these records, I think is
7 really -- since we orally indicated to him that in
8 addition to Mr. Mangione's extensive writings, which
9 Mr. Seidemann already has, as well as the medical records
10 of Mr. Mangione, we indicated all records will be
11 relevant.

12 I'm sure had Mr. Seidemann actually obtained these
13 records and reviewed these notes, with his extensive
14 expertise in psychiatric cases, he wouldn't be -- this
15 sort of, we don't know, we have no idea what we're relying
16 on and what we're doing here, it's pretty self-evident
17 when you review that. And, again, with his expertise, I
18 think he would be much less surprised than he is indicating
19 if he had obtained the records that we suggested that he
20 obtain, your Honor.

21 We have all the medical records, and if your
22 Honor is ordering us to turn them over, it's going to take
23 us sometime to put them together because we got them in
24 many different formats. It's going to take us a little
25 time to be able to put that together to turn over to

1 Mr. Seidemann.

2 We are concerned, however, because there is
3 sharing between both the State and Federal prosecutors of
4 information and we are getting discovery from the Feds that
5 is coming straight from DANY and we know this from
6 watermarks, we are concerned with these records. Again,
7 if we decided not to go with this defense, ultimately at
8 trial that is something we don't do, we are concerned that
9 these records would be turned over to the federal
10 prosecutors, that they do not have a right to have these
11 confidential medical records because it is not relevant to
12 their case in chief. That's one reason why we object to
13 being forced to turn over these records that they
14 themselves can get easily because we have agreed they don't
15 have to go through what we went through to domesticate the
16 subpoenas.

17 THE COURT: That's easy. The People can't share
18 these medical records with Federal authorities or any other
19 authorities. However, they certainly can share them with
20 their experts to review.

21 MS. FRIEDMAN AGNIFILO: Thank you, your Honor.

22 And we were not saying we're not going to be ready
23 on September 8th. Just so your Honor is clear, we're doing
24 everything we can.

25 The problem with your Honor's order to turn over

1 a C/V of an expert is, we have not yet determined what
2 expert we would be calling because we are still learning
3 exactly the specific nature of these issues.

4 (Portion redacted.)

5 THE COURT: You are going to have to turn
6 everything over.

7 MS. FRIEDMAN AGNIFILO: That is absolutely not
8 what is happening.

9 THE COURT: You can't do this on the eve of
10 trial and say, here's our expert, we got it. You can't do
11 it.

12 MS. FRIEDMAN AGNIFILO: I understand.

13 THE COURT: That expert will be precluded from
14 testifying on the eve of trial. So, you got to move on it.

15 I really don't see the basis to continue to seal
16 this record. Obviously, the record today, anything that is
17 discussed, any medical issues, that, and anything in some
18 of the sealed motions that deal with any medical, we can
19 redact. But, other than that, this is no longer going to
20 be sealed.

21 MS. FRIEDMAN AGNIFILO: Would your Honor give us a
22 month?

23 THE COURT: I will give you ten business days to
24 comply with turning over any records that have been
25 reviewed or going to be part of any expert's opinion.

1 MS. FRIEDMAN AGNIFILO: Will your Honor also
2 give us that time to keep this sealed so that we can do
3 what we can to try and tell your Honor if we're going to do
4 this or not, can we have ten business days to keep this
5 sealed?

6 THE COURT: To determine whether you are
7 withdrawing notice or not; is that what you're saying?

8 MS. FRIEDMAN AGNIFILO: Correct.

9 MR. SEIDEMANN: Your Honor, it's always been one
10 reason, another reason, another delay, there is no
11 authority for it. There wasn't authority on the death
12 penalty thing. The mere fact of the filing of notice is of
13 no probative value.

14 THE COURT: Mr. Seidemann, didn't you say when you
15 made your first remarks a two week deadline; isn't that
16 what you said?

17 MR. SEIDEMANN: I'm sorry.

18 THE COURT: Didn't you say you want a two week
19 deadline?

20 MR. SEIDEMANN: Two week deadline for the
21 discovery of the information, not for sealing the record.

22 THE COURT: Well, the information, they should
23 give you immediately. I already ordered that.

24 MR. SEIDEMANN: Well, counsel asked for two weeks.
25 It was my understanding she was asking for two weeks to

1 unseal. All that I'm asking for --

2 THE COURT: Okay.

3 MR. SEIDEMANN: -- if it can be unsealed
4 immediately.

5 I have no problem with them saying -- if they
6 need us to bring a hard drive or whatever electronics
7 they need for us to be able to have this available say
8 tomorrow by end of business, we will send over to them.
9 I'm talking about the fact that they're asking for
10 additional time to unseal and I'm asking that it be done
11 immediately.

12 THE COURT: Yes, that's all we're dealing with.
13 They should comply with turning things over, but I will
14 give you the ten days.

15 MR. SEIDEMANN: Just to be clear, the ten days is
16 for both the order to unseal and just the records or just
17 solely the records?

18 THE COURT: Repeat that.

19 MR. SEIDEMANN: Is your Honor's ten day business
20 day ruling just for sealing?

21 MS. FRIEDMAN AGNIFILO: We're going to try to
22 gather the medical records immediately. It is going to
23 take, I'm just telling you, it's going to take us probably
24 a couple of days. They are voluminous, and they are in
25 multiple formats, some are electronic, some are hard

1 copies. We will put it all together and we will turn that
2 over as soon as we can. We're not going to delay.

3 THE COURT: If you withdraw notice, that will all
4 be moot.

5 So, the sealing stays in effect for the next ten
6 days.

7 MR. SEIDEMANN: That would be a week from next
8 Wednesday, your Honor?

9 THE COURT: Ten business days, two weeks.

10 Okay. The only other thing, you guys are working
11 on the questionnaire.

12 MR. SEIDEMANN: We will exchange with counsel and
13 then try to get an agreement to get to the court, if that's
14 acceptable.

15 The other thing that I was going to ask the
16 Court, there are certain issues with respect to -- I don't
17 if the Court has any control over this, but obviously there
18 have been issues with respect to the presence of certain
19 individuals in the courtroom. I take it, that the Court
20 will prohibit people from wearing tee shirts, carrying
21 signs or alike at the trial itself. There has been stuff
22 posted on the internet with respect to efforts to approach
23 prospective jurors and inform them of their right to join,
24 by setting up tables in front of 100 Centre Street. I
25 don't know to what extent the Court has control over that.

1 That's just a red flag in terms of jury selection, that
2 this may be another aspect that we'll have to be dealing
3 with.

4 So, I am concerned about the presence of people
5 who may be making threats particularly, and I do think that
6 our office will be considering an order. I don't know if
7 counsel will consider this as well, an order for an
8 anonymous jury. I ask counsel to consider consenting to
9 that.

10 THE COURT: I missed what order.

11 MR. SEIDEMANN: For an anonymous jury, such that
12 at least the names and addresses of the jurors will only be
13 known to the parties and not the public. There has been a
14 lot of stuff, mostly on the internet, some of which was
15 outside this courtroom, people were taking. We don't
16 need jurors to speculate on their names and addresses
17 coming out where simply an order to keep them anonymous to
18 the public would serve both the defense and the
19 prosecution. So, I ask counsel to consider it and the
20 Court to consider it. If necessary, I will file a formal
21 motion.

22 MS. FRIEDMAN AGNIFILO: We'll consider it.

23 THE COURT: I don't know the defense's position.
24 It sounds reasonable to me.

25 MS. FRIEDMAN AGNIFILO: We will consider that

1 request.

2 THE COURT: I've got to go do my calendar. I'm
3 just trying to think of the next date. I guess it's got to
4 be a physical appearance in court.

5 MR. SEIDEMANN: Your Honor, we will make efforts
6 to see if from the date of that physical appearance going
7 forward, if the defendant can be kept in state custody.
8 I can't make any promises, but we will make inquiries as an
9 accomodation to the Court and counsel.

10 THE COURT: All right. If that can be done, that
11 will be helpful.

12 All right. How is June 18th?

13 MR. SEIDEMANN: Fine with us.

14 MS. FRIEDMAN AGNIFILO: One moment, your Honor.
15 (Brief pause.)

16 MR. SEIDEMANN: That would be after making a
17 decision. By then it would be after the ten day
18 requirement that this court already set.

19 THE COURT: Hold on one second. I might change
20 that date.

21 MS. FRIEDMAN AGNIFILO: I am out of town that day,
22 unfortunately. Could we do the following week, your
23 Honor?

24 THE COURT: The following week is a judicial
25 conference, I won't be here.

1 MR. SEIDEMANN: What about June 16th, your Honor?

2 THE COURT: June 16th is a good date.

3 MS. FRIEDMAN AGNIFILO: That works.

4 MR. SEIDEMANN: If your Honor could make it nine
5 days notice, then they could indicate on June 16th what
6 their status is, whether they're going forward on the
7 defense rather than the next day.

8 MS. FRIEDMAN AGNIFILO: Obviously, if we know, we
9 will tell you on that day.

10 THE COURT: You are going to have to know by the
11 next day.

12 MS. FRIEDMAN AGNIFILO: We'll probably have a
13 better sense by then. Can we keep it, we will have that
14 date in court, the 16th, and we'll let you know by the
15 17th, but hopefully we'll know by the 16th.

16 THE COURT: All right.

17 See you on the 16th.

18 MR. SEIDEMANN: Thank you, Judge.

19 ****

20 (Whereupon, the following proceedings were held in
21 open court:)

22 THE COURT: Just so the record is clear, we did
23 have a virtual proceeding in the People of the State of New
24 York versus Luigi Mangione case. The defendant was present
25 and the People were present.

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At the request of the defense, that proceeding is sealed at the moment.

We do have an adjourned date of June 16th, and it's a physical appearance and you are all invited to be here.

Certified to be a true and accurate transcription of the minutes taken in the above-captioned matter.

Theresa Magniccari

Theresa Magniccari

Senior Court Reporter