

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. :
 :

COPY

SECOND NOTICE OF THE FEDERAL
GOVERNMENT'S DENIAL OF HABEAS CORPUS AD
PROSEQUENDUM

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
2024 JUL -3 11 0-59
CLERK OF COURT

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**SECOND NOTICE OF THE FEDERAL GOVERNMENT'S DENIAL OF HABEAS
CORPUS AD PROSEQUENDUM**

AND NOW, comes the Commonwealth of Pennsylvania, by and through
the District Attorney's Office of Blair County, and files this
SECOND NOTICE OF THE FEDERAL GOVERNMENT'S DENIAL OF HABEAS CORPUS
AD PROSEQUENDUM 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 before immediately waiving extradition to the State of New York where he faces homicide and related charges. Said extradition caused 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 the conclusion of his homicide prosecution.

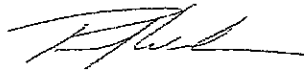
3. Notably, the logistics and costs for the transportation and housing of Defendant-Mangione were significantly greater than a typical inmate due to the intense media and public attention generated by the New York allegations. Further, there were significant security concerns regarding the custody and 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, Dominic Gentile, 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 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 physically 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.
9. Subsequent to this correspondence and at the demand of Defendant-Mangione's attorney, who repeatedly has declined to allow Defendant-Mangione to participate remotely, the Commonwealth filed a Petition for Writ of Habeas Corpus Ad Prosequendum with the Court. The Writ has been denied by the federal authorities.
10. On or about September 8, 2025, the Court signed a Writ of Habeas Corpus Ad Prosequendum. The Commonwealth immediately provided a time stamped copy to the Federal Prosecutors assigned to the matter.
11. The Writ of Habeas Corpus Ad Prosequendum was denied via email by the United States Attorney's Office for the Southern District of New York Data Analyst Sheena Wills on September 10, 2025.

12. On the same date it was received (September 10, 2025), the undersigned emailed the Court and Attorney Dickey notice that the Writ was Denied. The Court indicated that a document of record was required to memorialize the denial. On or about September 10, 2025, First Assistant Nichole Smith contacted Data Analyst Sheena Wills who authored the original email denying the Writ and was informed that no further written correspondence would be forthcoming.
13. On or about September 17, 2025, the Commonwealth filed a Notice of Denial of Writ of Habeas Ad Prosequendum wherein the aforementioned information was filed of record. Subsequent to this filing, on September 25, 2025, the Court first verbally directed First Assistant Smith to obtain a more formal response regarding the denial from the United States Department of Justice. On September 26, 2025, the Commonwealth promptly reached out to the United States Attorney's Office for the Southern District of New York via email and advised them the Court was requiring a more formal notification of the denial of the Writ of Habeas Corpus Ad Prosequendum. The United States Attorney's Office for the Southern District of New York promptly responded via email September 26, 2025 with a letter memorializing the denial of the Writ of Habeas Corpus Ad Prosequendum, which is attached as an Exhibit to this Notice. However, this email was received after close of business Friday September 26, 2025.
14. On or about the next business day, Monday September 29, 2025, the Court issued an order directing the Commonwealth to obtain a more formal response from the United States Department of Justice. Upon receipt of the Order, the Commonwealth has prepared the instant notice with the attached Exhibit from the United States Attorney's Office for the Southern District of New York.

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



U.S. Department of Justice

United States Attorney
Southern District of New York

*The Jacob K. Javits Federal Building
26 Federal Plaza, 37th floor
New York, New York 10278*

September 26, 2025

BY EMAIL

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

Re: **United States v. Luigi Nicholas Mangione, 25 Cr. 176 (MMG)**

Dear Mr. Weeks:

The United States Attorney's Office for the Southern District of New York again 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 Bureau of Prisons 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,

SEAN S. BUCKLEY
Attorney for the United States Attorney
Acting Under Authority Conferred by
28 U.S.C. § 515

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

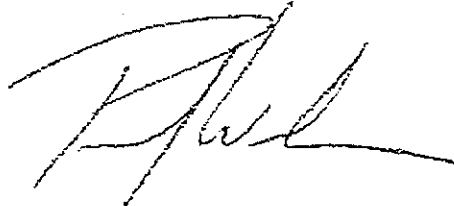
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CERTIFICATE OF COMPLIANCE

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

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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: October 2, 2025



Peter J Weeks, Esq.
For the Commonwealth