

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. :  
 :

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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.

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

COMMONWEALTH OF PENNSYLVANIA :

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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 hwaivers 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. 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 was eventually signed by the Court and forwarded to the United State's Attorney's Office, who ultimately denied the Writ.

10. The Court has ordered the Commonwealth to provide continuous additional updates on the availability of Defendant-Mangione and the same is addressed by this Notice. 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 and previously filed Writ of Habeas Corpus Ad Prosequendum reflects its intent to secure Defendant-Mangione once he is physically available for prosecution in Blair County.
11. Notably, the Commonwealth is aware of a pending pretrial motion in Manhattan, New York, where the involved Blair County law enforcement officials will be presenting testimony. The hearing for this Motion is scheduled for early December 2025, and it is anticipated that the defendant will be present for that hearing. The Commonwealth asserts that the instant Motion may be decided by the Court after submission of the transcripts from the New York hearing, thereby eliminating the need for a hearing or the personal appearance of Defendant-Mangione.

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,



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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,



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

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-CRIMINAL DIVISION-

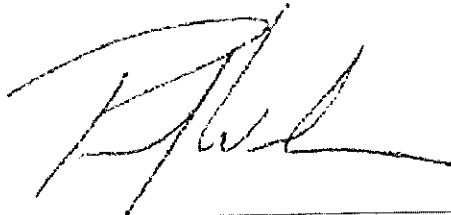
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CERTIFICATE OF COMPLIANCE

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

2025 NOV 25 PM 2:34  
CLERK OF BLAIR COUNTY

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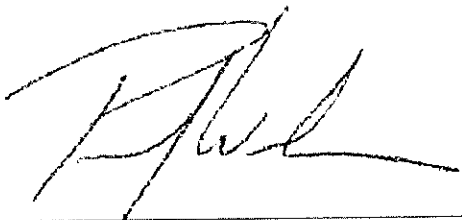
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CERTIFICATE OF SERVICE

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: November 25, 2025



Peter J Weeks, Esq.  
For the Commonwealth

2025 NOV 25 PM 2:34  
CLERK OF ORPHANS COURT