

SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK: PART 59

THE PEOPLE OF THE STATE OF NEW YORK

- against -

DONALD J. TRUMP,

Defendant.

DECISION AND ORDER
ON DEFENDANT'S
MOTION TO COMPEL
COMPLIANCE WITH
SUBPOENA *DUCES TECUM*
TO STEPHANIE CLIFFORD

Ind. No. 71543/2023

HON. JUAN M. MERCHAN A.J.S.C.:

On April 4, 2023, Donald J. Trump, the Defendant, was arraigned before this Court on an indictment charging him with 34 counts of Falsifying Business Records in the First Degree, in violation of Penal Law § 175.10. On March 18, 2024, Defendant issued a subpoena *duces tecum* (hereinafter “Subpoena”) to Stephanie Clifford a/k/a “Stormy Daniels” (hereinafter “Daniels”) seeking all materials related to the documentary film titled “Stormy” (hereinafter “Documentary”). The subpoena also sought all documents, for the period between April 2023 and the present, relating to communications with “Michael Cohen or his representatives, Karen McDougal, Elizabeth Jean Carroll, Jessica Leeds, or Natasha Stoyloff.” Daniels 3/18/24 Subpoena. Finally, the subpoena sought all documents “relating to communications with the U.S. Attorney’s Office for the Southern District of New York” during the period of April 2018 to the present. *Id.* On April 8, 2024, Defendant filed a pre-motion letter indicating his intent to file a motion to compel compliance with the Subpoena. On April 9, 2024, Clark O. Brewster, attorney for Daniels, filed a letter opposing Defendant’s motion to compel as well as cross moving to quash the Subpoena. On April 12, 2024, the Defendant filed his motion to compel. On April 19, 2024, the People filed a motion in opposition to Defendant’s motion to compel and cross moved to quash the Subpoena.

DISCUSSION

For the following reasons, Defendant’s motion to compel is **DENIED** and the People and Daniels’ motions to quash are **GRANTED**.

CPL § 610.20 provides that any party to a criminal proceeding may issue a subpoena. CPL § 610.20(3) specifically provides that an attorney for a defendant in a criminal action may issue a