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July 2, 2026

The Honorable Gregory Carro
New York County Supreme Court, Criminal Term, Part 32
100 Centre Street
New York, NY 10013

RE: *People v. Luigi Mangione*, Ind. No. 75657/2024.

FILED UNDER SEAL

Dear Justice Carro,

The People write to advise the Court of recent developments in defendant's federal criminal case. At a status conference this week, the district court observed that defendant's state trial is conclusively set for September 8, 2026 in this Court, and the district court accordingly adjourned defendant's federal trial to January 5, 2027 for the start of jury selection. The minutes of that status conference, and the district court's scheduling order setting the trial date and various pretrial deadlines, are attached for this Court's awareness.

The district court's adjournment of the federal trial date to avoid interfering with this Court's trial schedule continues to reflect the People's primary jurisdiction in this matter. The principle of primary jurisdiction is a rule of comity that governs the order of priority given to separate criminal prosecutions of the same person by different sovereigns, and provides that the "chief rule which preserves our two systems of courts from actual conflict of jurisdiction" means that the sovereignty which first arrests the individual acquires the right to prior and exclusive jurisdiction over him." *In re Liberatore*, 574 F.2d 78, 89 (2d Cir. 1978) (quoting *Ponzi v. Fessenden*, 258 U.S. 254, 260-61 (1922)). Thus, under the rule of primary jurisdiction—and as the People previously advised the Court and defendant in our January 28, 2026 letter—"the sovereign which first arrests an individual acquires priority of jurisdiction for purposes of trial, sentencing and incarceration." *United States v. Warren*, 610 F. 2d 680, 684-85 (9th Cir. 1980). Defendant was first taken into custody and extradited from Pennsylvania to New York on the

authority of the New York state prosecution, and the People have retained primary jurisdiction since defendant's arrest.¹

The People are aware of public reporting regarding the possibility of a guilty plea in defendant's federal case. If a proposed federal guilty plea would operate to defeat a just outcome in the state prosecution, the People could advise the federal district court of that consequence, and the court should consider that fact in deciding whether to accept the plea, as well as any opposition by the victim's family to such a resolution. *See Ponzí*, 258 U.S. at 260 ("One accused of a crime . . . should not be permitted to use the machinery of one sovereignty to obstruct his trial in the courts of the other"); 18 U.S.C. § 3771. We have advised the federal prosecutors and the defense of our position. Obviously, any guilty pleas in these matters must account for the seriousness of defendant's offenses, the loss of an innocent life, the impact of those crimes on the victim's family, and the other state interests that are implicated, including the sanctity of life principle that underpins the state homicide charges.

Respectfully submitted,

Joel J. Seidemann

Joel J. Seidemann
Senior Trial Counsel
Assistant District Attorney
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Cc: Karen Friedman-Agnifilo, Esq.

¹ After his initial arrest and extradition to New York custody, defendant was later transferred to federal custody pursuant to a writ of habeas corpus *ad prosequendum*. Defendant's transfer pursuant to that writ does not defeat the People's primary jurisdiction. *See, e.g., In re Liberatore*, 574 F.2d at 89; *Wiseman v. Wachendorf*, 984 F.3d 649, 653 (8th Cir. 2021) ("The first sovereign to establish physical custody over a criminal defendant retains primary jurisdiction until it releases jurisdiction. Not every change in custody constitutes a release of primary jurisdiction. When a State with primary jurisdiction transfers a prisoner to the United States pursuant to a writ of habeas corpus *ad prosequendum*, for example, the prisoner is considered merely 'on loan' from the State.").

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1 UNITED STATES DISTRICT COURT
2 SOUTHERN DISTRICT OF NEW YORK

3 -----x
4 UNITED STATES OF AMERICA,

5 v.

25 Cr. 176 (MMG)

6 LUIGI MANGIONE,

Conference

7 Defendant.

8 -----x

New York, N.Y.
June 29, 2026
12:00 p.m.

9 Before:

10 HON. MARGARET M. GARNETT,

District Judge

11 APPEARANCES

12 SEAN S. BUCKLEY

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

13 BY: DOMINIC A. GENTILE
JUN XIANG

ALEXANDRA S. MESSITER
THOMAS JOHN WRIGHT

Assistant United States Attorneys

14 AGNIFILO INTRATER LLP

Attorneys for Defendant

15 BY: MARC ANTONY AGNIFILO
KAREN FRIEDMAN AGNIFILO
JACOB KAPLAN

16 Also Present:

Thomas Ford, FBI

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1 (Case called)

2 MR. GENTILE: Good morning, your Honor.

3 Dominic Gentile, Jun Xiang, Alexandra Messiter, and
4 Thomas John Wright for the United States. Seated behind us is
5 Special Agent Thomas Ford for the FBI.

6 THE COURT: Good afternoon.

7 MS. FRIEDMAN AGNIFILO: Karen Friedman Agnifilo, Marc
8 Agnifilo, and Jacob Kaplan on behalf of Luigi Mangione.

9 Good afternoon, your Honor.

10 THE COURT: Good afternoon and good afternoon to you,
11 Mr. Mangione. Everyone can be seated, please.

12 All right. Ms. Friedman Agnifilo, let's begin with
13 the status of the state case. What can you tell me?

14 MS. FRIEDMAN AGNIFILO: State case is scheduled to
15 begin September 8, your Honor.

16 THE COURT: Okay. And to the best of your knowledge,
17 are you aware of any request for adjournment or do you expect
18 jury selection to begin on that date?

19 MS. FRIEDMAN AGNIFILO: We've been told that no
20 requests for adjournments will be granted and to be ready on
21 that date.

22 THE COURT: All right. Thank you, Ms. Friedman
23 Agnifilo. You can be seated.

24 So as you know, I had hoped with perhaps undo optimism
25 to preserve the possibility of a fall trial in this case. But

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1 given the current status of the state case, it's my view that
2 we can no longer -- well, it's not just my view. As an
3 administrative matter, we can no longer wait to see what
4 happens in the state but, otherwise, the time needed to summon
5 the number of jurors that we will need to conduct a jury
6 selection in this case is rapidly coming to a close if we were
7 to hope to maintain a November trial. So in order to make that
8 possible, which we have to have a jury to conduct this trial,
9 and for all the reasons that we discussed in April, in my view
10 it's simply impossible for us to be moving through the jury
11 selection process in this case while the defendant and his
12 counsel are fully occupied actually conducting the state trial
13 in September and possibly into October.

14 Accordingly, I'm going to adjourn the trial to our
15 previously agreed backup date of Tuesday, January 5 to begin in
16 person voir dire with the expectation that we will begin the
17 actual trial with opening statements on Monday, January 25. I
18 mean, I'll put a scheduling order on -- well, first let me hear
19 from you, Mr. Gentile. Are you aware of any reason or any
20 events that I'm not aware of that would suggest that we have
21 any other alternative?

22 MR. GENTILE: Your Honor, as we've stated almost at
23 every court appearance, that the government will be ready
24 whenever the Court schedules the trial, whether it's November
25 or whether it's in January. So we are not aware of anything

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1 that would change the Court's mind at this point.

2 THE COURT: All right. Thank you. Okay. So I will
3 put a complete scheduling order on the docket. But just for
4 the parties to have a general idea of the -- I've compressed
5 the schedule slightly to accommodate the fact that defense
6 counsel will be occupied in the state case and also just
7 because on review, I think we maybe built in more time than we
8 needed in the initial schedule.

9 Generally, the schedule that I will set will kick off
10 October 23 with the government's deadline to disclose any
11 expert witnesses to the defendant, appropriate follow-on dates
12 after that. My expectation would be that the first week of
13 December the jury department would have jurors in to fill out
14 the questionnaire. We'll have the motions *in limine* due in
15 early December as well, and the parties' submissions after we
16 receive the questionnaires due through the balance of December
17 so that we're in a good position to begin whatever in-person
18 voir dire we're going to do, which I'll get to in a moment, on
19 Tuesday, January 5.

20 Okay. All right. Let's turn to the questionnaire. I
21 assume counsel received the Court's proposed questionnaire and
22 the redline, Mr. Gentile?

23 MR. GENTILE: That's correct, Judge.

24 THE COURT: Ms. Friedman Agnifilo?

25 MS. FRIEDMAN AGNIFILO: Yes, your Honor.

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1 THE COURT: I'm sorry, Mr. Gentile. I didn't mean to
2 cut you off.

3 MR. GENTILE: That's all right, Judge. We were just
4 going to say that the government has reviewed the Court's
5 questionnaire, and we have no objections to what the Court has
6 written as is.

7 THE COURT: So we'll turn to that in just a moment.
8 Thank you. I just want to note, because we have a number of
9 press and the public here, that I have not made public the
10 parties' submissions nor the Court's proposed questionnaire
11 because having the questionnaire in this case potentially
12 circulating online months before jury selection begins would
13 only make what promises to be a difficult task more difficult.
14 I will post the questionnaire on the docket after the
15 prospective jurors have filled it out. So it will eventually
16 be a public document, but it cannot be public now because the
17 need to ensure that we have the best opportunity to select a
18 fair and impartial jury in this case overrides any need for
19 public access to those documents at this stage of the case.

20 All right. So before we turn to the parties'
21 objections, I thought it would be useful just to talk a little
22 bit about the process that I envision for jury selection and
23 hear counsel's comments, questions, objections, if any.

24 So of course we'll have the jury department administer
25 the questionnaire. They typically do that in batches of

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1 prospective jurors of roughly 200 to 250 a day. As we
2 discussed previously, I think the best option is for me to
3 record a video with my usual welcome and introduction to jury
4 selection, a little bit about the case. Of course I'll give
5 the parties an opportunity to review the script and the actual
6 video before it's shown to any jurors just to make sure that
7 you don't have any objections or requested additions. That way
8 we can be sure that each prospective juror hears the same
9 introduction, and that it also would eliminate the need for
10 counsel to be present when jurors are coming in to fill out the
11 questionnaire. Which I think if I were speaking to them live,
12 of course, counsel and Mr. Mangione would have a right to be
13 present for that. I think a video solves that, and the jury
14 department will just play the same video for each group of
15 prospective jurors.

16 Once the questionnaires are filled out, we'll all
17 review and counsel will confer, and then counsel will submit
18 two lists to the Court - first, a list of prospective jurors
19 who should be struck for cause based on the questionnaire
20 alone. So that will be, you know, the agreed-upon, and then if
21 the parties disagree, the additional jurors that each party
22 individually thinks should be struck for cause based on the
23 questionnaire alone. And then a list or set of lists, which is
24 the list of prospective jurors who require followup questioning
25 based on their questionnaire answers. Again, the agreed-upon

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1 list and then each parties' individual lists if there are
2 disagreements.

3 That second set of jurors, those who require followup
4 questioning based on their questionnaire answers, we'll call
5 those in in batches beginning January 5. I want to give the
6 exact number of batches some additional thought. We'll be
7 together obviously before January 5, but I'm envisioning
8 probably 40 to 50 a day I think is reasonable for that followup
9 questioning.

10 Then once we have dealt with all possible strikes for
11 cause, my expectation - and I noted this on the questionnaire -
12 is that we will reserve what I view as the biographical
13 questions. When I'm choosing a jury in the normal way, I save
14 the biographical questions until we have a qualified panel.
15 And then we go one at a time, okay, tell me how old you are,
16 tell me where you live, tell me what you do for a living, tell
17 me who else lives in your household. If any of those people
18 are adults, what do they do for a living? How far did you go
19 in school? Do you have grown children who live outside the
20 house? What do they do for a living, and so on.

21 And I think it would be best in this case for a
22 variety of reasons to follow essentially a version of that same
23 process here, in that we would not include those types of
24 questions on the written questionnaire. The questionnaire will
25 be focused only on questions that go to potential fairness,

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1 impartiality, bias, preconceived ideas. We'll save those
2 biographical questionings because I think for counsel's sake as
3 well as for the Court, we're going to want to have an
4 opportunity to observe the jurors in person and get a sense of
5 their demeanor and so on and some sense of who they are as
6 people so that you have the information you need to exercise
7 peremptories and I have the information that I need to suss out
8 whether there's anything we might have missed in the written
9 questionnaire process.

10 So I also just think they're the kind of questions
11 that jurors are more likely to be more comfortable answering in
12 person. I think none of you have done a trial in front of me,
13 but I try to engage with the jurors personally, ask followup
14 questions, you know, make comments if they mention something
15 that I have a particular interest in or whatever just to be
16 able to build a rapport with the jurors and draw them out as
17 people. And I think we would all benefit from doing that
18 portion of the voir dire in person.

19 It's my view that we probably are best served by
20 selecting four alternates. Mr. Gentile, I don't know if you've
21 given thought to the number of alternates.

22 MR. GENTILE: Your Honor, we gave thought to the
23 number of alternates when this was a capital case. We
24 originally thought there would be like six or eight, but given
25 the nature of the notoriety of this case, we still think six

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1 would probably be an appropriate number.

2 THE COURT: Okay. Ms. Friedman Agnifilo, do you have
3 a view about that?

4 MS. FRIEDMAN AGNIFILO: That's fine, your Honor.

5 THE COURT: Other than our own time, there's no -- I'm
6 fine to select six. I think it's a little bit high. I mean,
7 we're expecting a two-to-three-week trial, and normally I would
8 not select six alternates. But I think that I'm always
9 concerned in the high profile case that information will come
10 to light after we have begun the trial, and there's the
11 possibility that we will have to remove jurors during the trial
12 or after the trial has begun. And so I think for that reason,
13 it's probably sensible to select six alternates, in which case
14 we'll need a qualified panel of 34.

15 So what I would propose is that once we have a
16 qualified panel of 34, that we bring those first 34 jurors in,
17 we do the biographical questioning, and you'll exercise your
18 peremptories. I might have done that math wrong because I'm
19 not counting enough strikes for six alternates, so I will do
20 the math correctly. It's probably more like 38 is a qualified
21 panel. Wait. Mr. Kaplan is telling me it's higher. I'm a
22 lawyer because I'm not very good at math. I thought I was
23 doing a good job doing that math in my head to get to 34.

24 MR. KAPLAN: I'll leave it to the Court, but I think
25 it might be closer to 42, but I'll leave it.

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1 THE COURT: Let's see. 12 plus 16 is 28, six
2 alternates, probably two additional strikes per side for six
3 alternates. I mean, I haven't thought deeply about that.
4 Ms. Friedman Agnifilo, do you have a view -- ten and six for the
5 main panel, but for the alternates normally you'd each have one
6 for a standard two to four alternates. So I propose two
7 additional strikes per side for the alternates.

8 MR. GENTILE: That works for the government, Judge.

9 MS. FRIEDMAN AGNIFILO: That's fine, your Honor.

10 THE COURT: Six plus four is ten. Well, Mr. Kaplan,
11 it's 38, so you can slip me a 20 later.

12 So then we'll exercise peremptories and we'll tell the
13 jurors to return on Monday, January 25 for the start of the
14 trial. Past experience, I will wait to swear them until they
15 show up on Monday the 25th.

16 Turning to the substance of the questionnaires, I did
17 my best to incorporate versions of the disputed questions that
18 I thought were relevant and helpful. And I should note as a
19 general matter that I agree with most of the points in the
20 government's letter of May 11. All parties are clearly
21 entitled to a fair and impartial jury, but that jury is also to
22 be drawn from the community at random. And the right to a fair
23 and impartial jury does not give any party the right to design
24 a bespoke jury of their choosing.

25 I'm also particularly sensitive to the high profile

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1 nature of this case, the desire of many prospective jurors I
2 assume not to be identifiable to the public if they are chosen
3 as a juror and, accordingly, the balance that must be struck
4 between ensuring the voir dire process identifies potential
5 bias, preconceived notions, or other issues that could bear on
6 a juror's qualifications or impartiality and, on the other
7 hand, not intruding unduly into the privacy of prospective
8 jurors.

9 I also attempted to combine or remove questions that I
10 thought were unnecessarily cumulative or repetitive or appeared
11 designed more to press a particular view of the issues in the
12 case, rather than identify potential biases or disqualifying
13 circumstances. So Mr. Gentile, I know you said this a moment
14 ago, but let me just confirm for the record, does the
15 government have any objections or requested additions to the
16 Court's proposed questionnaire?

17 MR. GENTILE: Does not, Judge.

18 THE COURT: Ms. Friedman Agnifilo, are there any
19 issues that I did not include that you would like to press?

20 MS. FRIEDMAN AGNIFILO: No, your Honor.

21 THE COURT: All right. Okay. So I will build into
22 the schedule an opportunity closer to when we're going to
23 distribute the questionnaire to ensure that we're back together
24 in person so that if there is any issue that has developed in
25 the interim that either party thinks we should include a

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1 question on, we can adjust and tweak that before the
2 questionnaire is finalized in advance of the first week of
3 December.

4 All right. So that is everything on my list.
5 Mr. Gentile, is there anything else the government would like
6 to raise today?

7 MR. GENTILE: Just for purposes of clarification,
8 Judge, is the earliest date where anything is due the
9 October 23 date that the Court mentioned for government
10 experts?

11 THE COURT: Yes. The earliest date at which anyone
12 has any obligation is October 23, government to disclose its
13 expert witnesses to the defense.

14 MR. GENTILE: Other than the exclusion of the Speedy
15 Trial Act.

16 THE COURT: Yes, I will come back to you on that.

17 Ms. Friedman Agnifilo, is there anything else you'd
18 like to raise while we're all here together?

19 MS. FRIEDMAN AGNIFILO: No, your Honor. We appreciate
20 the thoughtfulness that your Honor put into incorporating our
21 questions and the topics that we wanted into your final
22 questionnaire.

23 THE COURT: You're quite welcome.

24 All right. Mr. Gentile, does the government have an
25 application?

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1 MR. GENTILE: It does, your Honor. The government
2 moves to have the time between today and January 25, 2027
3 excluded from the provisions of the Speedy Trial Act to allow
4 the parties to prepare for trial and further any discussions
5 that may arise.

6 THE COURT: Any objection, Ms. Friedman Agnifilo?

7 MR. GENTILE: No, your Honor.

8 THE COURT: All right. I will exclude the time. I
9 think it's probably an open question, Mr. Gentile, whether we
10 have to exclude the time to just January 5 or January 25, but
11 in an abundance of caution, I will exclude the time to
12 January 25. I find the time is needed because the defendant is
13 also facing charges in state court, and in order to ensure that
14 he has a fair trial in this case and the appropriate assistance
15 of counsel, the trial cannot begin in this matter until January
16 because we also need time to select an appropriate jury for
17 this case once the state case is over. So I will exclude the
18 time from today until January 25.

19 As I said, I will get a scheduling order on the docket
20 and ensure that we have a conference on the docket before the
21 questionnaire is distributed to prospective jurors. Okay? All
22 right. Thank you all. We're adjourned.

23 Oh, I'm sorry, Ms. Friedman Agnifilo.

24 MS. FRIEDMAN AGNIFILO: Sorry, Judge. Just one other
25 point I want to make. Just depending on how the state court

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1 case goes and issues that arise, given the notoriety and the
2 publicity of these cases, the dual prosecutions, we might ask
3 the Court to include other questions in the questionnaire
4 depending on how that goes, and we just wanted to let your
5 Honor know that.

6 THE COURT: Yes. I'm holding open a space for that,
7 whether it's developments in the state trial or in the world at
8 large between now and, say, late November that might require
9 one party or the other or both to request certain additional
10 questions. So I think we're probably best served by having
11 that conference kind of as close to that first week of December
12 as we can, at which we can discuss whether there's -- you know,
13 I'll set a date for you to submit any additional questions, and
14 then a conference where we can discuss that before jurors come
15 in to fill out the questionnaire. Okay. All right. Thank you
16 all. We're adjourned.

17 (Adjourned)
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DOC #: _____
DATE FILED: 6/29/2026

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

UNITED STATES OF AMERICA

-v-

LUIGI NICHOLAS MANGIONE,

Defendant.

25-CR-00176 (MMG)

SCHEDULING ORDER

MARGARET M. GARNETT, United States District Judge:

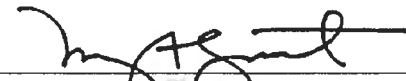
As discussed at the June 29, 2026 conference, the schedule for jury selection, pre-trial materials, motions and appearances shall be as follow:

- October 23, 2026 – Government to disclose any expert witnesses to Defendant, pursuant to Rule 16(a)(1)(G).
- November 16, 2026 – Counsel to confer and submit any additional questions for questionnaire directly to Court.
- November 20, 2026 – Defense to disclose any expert witnesses to the Government.
- November 20, 2026 at 11:30 a.m. – Conference re: jury questionnaire, if needed.
- December 1-4, 2026 – Jury Department to administer written questionnaire to prospective jurors in a venire of approximately 800. Government to scan completed questionnaires each day and provide to Court and defense counsel.
- December 4, 2026 – Motions in Limine due, including any *Daubert* challenges.
- December 11, 2026 – Parties to exchange lists of jurors to be struck for cause based on questionnaires alone and lists of jurors that require follow-up questioning regarding questionnaire answers.
- December 15, 2026 – Parties to confer and submit a list to the Court of jointly stipulated proposed strikes for cause and joint proposed list of jurors who require follow-up questioning regarding their questionnaire answers, as well as separate lists, if necessary, of any additional jurors that only one side seeks to strike for cause or requests follow-up questioning.

- December 18, 2026 at 11:00 am – Conference to rule on stipulated and requested strikes for cause; List of venire for in-person questioning finalized and provided to Jury Department for notification regarding in-person voir dire.
- December 22, 2026 – Oppositions to Motions in Limine due (the Court generally does not permit reply on Motions in Limine).
- January 4, 2027 – Proposed Requests to Charge and Verdict Form due.
- Tuesday, January 5, 2027 at 9:30 a.m. – In-person voir dire begins.
- Wednesday, January 20, 2027 at 2:00 p.m. – Final Pre-Trial Conference.
- Monday, January 25, 2027 – Opening statements; the presentation of evidence begins.

SO ORDERED.

Dated: June 29, 2026
New York, New York



MARGARET M. GARNETT
United States District Judge