

DISTRICT ATTORNEY
COUNTY OF NEW YORK
ONE HOGAN PLACE
New York, N. Y. 10013
(212) 335-9000

PART 59 JUN 05 2024



ALVIN L. BRAGG, JR.
DISTRICT ATTORNEY

June 4, 2024

Hon. Juan M. Merchan
New York State Supreme Court, Criminal Term, Part 59
100 Centre Street
New York, New York 10013

Dear Justice Merchan:

Pursuant to the Court's March 8, 2024 Order on the Filing of Future Motions, the People respectfully submit this response to defendant's June 3, 2024 request to terminate the Court's March 26 and April 1 Orders restricting defendant's extrajudicial statements. The People oppose any immediate termination of the Orders and agree with defendant's proposal for further briefing. We request that the Court adopt the same briefing schedule that the Court set for all other post-trial motions, with defendant's motion due on June 13 and the People's response due by June 27. Tr. 4959.

Defendant's letter asserts that the stated bases for the Court's Orders no longer exist "because the trial has concluded." The Court's Orders, however, were based not only on the need to avoid threats to the fairness of the trial itself, *see* March 26 Order at 3, but also on the Court's broader "obligation to prevent actual harm to the integrity of the proceedings"; to protect "the orderly administration of this Court"; and to avoid "risk[s] to the administration of justice." *Id.* at 2-3; *see also* April 1 Order at 2-3 (tailored restrictions warranted to protect against defendant's efforts to threaten "the integrity of the judicial proceedings," "interfere with the fair administration of justice," and "intimidate this Court"). As the People will explain more fully in our written opposition to defendant's forthcoming motion, these interests have not abated, and the Court has an obligation to protect the integrity of these proceedings and the fair administration of justice at least through the sentencing hearing and the resolution of any post-trial motions. The People's opposition will address whether, if at all, it would be appropriate to tailor aspects of the Court's Orders given the conclusion of the trial.

Respectfully Submitted,

/s/ Matthew Colangelo
Matthew Colangelo
Christopher Conroy
Katherine Ellis
Susan Hoffinger
Becky Mangold
Joshua Steinglass
Assistant District Attorneys