

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: PART 32

THE PEOPLE OF THE STATE OF NEW YORK

v.

LUIGI MANGIONE,

Defendant.

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REPLY AFFIRMATION  
IN SUPPORT OF MOTION  
Ind. No. 75657/2024

STATE OF NEW YORK )  
COUNTY OF NEW YORK ) ss:

KAREN FRIEDMAN AGNIFILO, an attorney at law duly admitted to practice in the courts of New York State, affirms the following to be true under the penalty of perjury:

1. I am an attorney and Of Counsel at Agnifilo Intrater LLP, a law firm located in New York City, and I am an attorney for Luigi Mangione. I make this reply affirmation in further support of a Mr. Mangione's October 21, 2025, motion, pursuant to CPL § 245.50(4), challenging the Certificate of Compliance ("COC") filed by the District Attorney's Office on September 16, 2025.

2. As part of counsel's October 21, 2025, motion to invalidate, we noted several issues with the COC: that two files were provided in an unreadable format and that the People had not provided information or documentation related to a missing person report filed by the Mangione family in San Francisco. In their response, the prosecution acknowledged that two of the files they had provided in discovery were not readable because of a "processing error," and that they were going to reproduce these files. (The files have since been reproduced.)

3. As to the San Francisco paperwork, the People claimed that it had previously

provided this information in discovery.<sup>1</sup> As noted below, however, there is a key component of the San Francisco investigation that the People have failed to provide discovery on.

4. In a December 17, 2024, press conference, the District Attorney and the NYPD Chief of Detectives referenced information that the FBI had received from a sergeant in the San Francisco Police Department relating to a missing person report filed by the Mangione family. According to the NYPD Chief of Detectives, this information was provided to NYPD officers embedded within an FBI task force. The following is the transcript of the relevant portion of the press conference:

The original missing report took place back in November 18<sup>th</sup> in San Francisco. The sergeant that was involved in that case reached out to the San Francisco field office and said hey basically I'm working on a missing case, I saw a photograph that was distributed by the NYPD there bears a resemblance. That tip was forwarded to us close to 45 hours after the incident took place. It showed up to a TFO, which is a Task Force Officer. We have NYPD officers embedded with the FBI. They received that tip, it was one of four tips they received that day and they were vetting it. Part of that vetting process was that they reached out to Mangione's

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<sup>1</sup>We appreciate the People's claim that it is "understandable how the defense could have missed the material regarding the San Francisco missing person report and Sergeant Horan's outreach to the FBI." (People's Response at 5.) Given the sheer volume of discovery—more than seven terabytes—processing through all the materials has been pain staking and time consuming. Complicating matters is the fact that Mr. Mangione still has not had the opportunity to review all the voluminous discovery. Although the federal court has previously issued a laptop order, there is a lengthy and laborious process that must be completed before Mr. Mangione receives the laptop at the MDC. The laptop must first be purchased and sent to an approved IT vendor who disables the laptop's connections to the internet, printers and wireless networks in compliance with the MDC's regulations. Once this process is finished, which takes many weeks to complete, the laptop is then provided to the government so that all the non-sensitive discovery can be uploaded before the laptop is sent to the MDC. In this case, the first two steps have been completed, and the government is currently loading portions of the discovery on the laptop. Once this process is completed, the government will deliver the laptop to the MDC for Mr. Mangione to review. We note that the process is more complicated in this case because the seven terabytes of discovery do not all fit on the laptop. Consequently, counsel and the government will have to coordinate to provide Mr. Mangione with a hard drive that contains the remaining discovery that does not fit on the laptop. Once Mr. Mangione receives the laptop and hard drive, he will need time to meaningfully review the discovery (including voluminous body-camera footage) in time for the December 1, 2025, hearings.

mother in San Francisco very late on the 7<sup>th</sup>. They had a conversation where *she didn't indicate that it was her son in the photograph, but she said it might be something that she could see him doing*. So that information was going to be passed along to the Detectives the next morning but fortunately we apprehended him before we could act on that.

(emphasis added).

5. According to this statement by the NYPD Chief of Detectives, Luigi Mangione's mother stated that the December 4, 2024, shooting "might be something she could see him doing."

This statement was then widely quoted by numerous news outlets, including the following:

Date	Outlet	Excerpt	URL
2024-12-17	Fox News	They had a conversation where she didn't indicate that it was her son in the photograph, but she said it might be something that she could see him doing.	<a href="https://www.foxnews.com/us/luigi-mangiones-mom-questioned-police-one-day-before-accused-ceo-slayer-captured">https://www.foxnews.com/us/luigi-mangiones-mom-questioned-police-one-day-before-accused-ceo-slayer-captured</a>
2024-12-18	People	They had a conversation where she didn't indicate that it was her son ... but she said it might be something that she could see him doing.	<a href="https://people.com/luigi-mangione-mother-told-fbi-could-see-him-shooting-unitedhealthcare-ceo-8763407">https://people.com/luigi-mangione-mother-told-fbi-could-see-him-shooting-unitedhealthcare-ceo-8763407</a>
2024-12-17	Yahoo News	Luigi Mangione's mom told cops ... the UHC shooting 'might be something that she could see him doing.'	<a href="https://www.yahoo.com/news/luigi-mangione-mom-told-cops-233039970.html">https://www.yahoo.com/news/luigi-mangione-mom-told-cops-233039970.html</a>
2024-12-17	Newsweek	They had a conversation where she didn't indicate that it was her son ... but she said it may be something she can see him doing.	<a href="https://www.newsweek.com/luigi-mangione-mother-detective-charges-2002404">https://www.newsweek.com/luigi-mangione-mother-detective-charges-2002404</a>
2025-04-01	CBS News	Speaking to reporters ... Kenny said ... his mother told an FBI task force that the shooting 'might be something that she could see him doing.'	<a href="https://www.cbsnews.com/news/luigi-mangione-healthcare-ceo-shooting-what-we-know/">https://www.cbsnews.com/news/luigi-mangione-healthcare-ceo-shooting-what-we-know/</a>

6. The Chief of Detective's unfounded claim continues to be cited, as it was recently repeated in a reckless novel that was published on November 4, 2025:

His mom reported him missing on November 18, sixteen days before the shooting.

She reported him missing in San Francisco because she thought that's where he lived. When the police questioned her about the shooting, she said she could see Luigi doing something like that - at least that's what NYPD Chief of Detectives Joseph Kenny told the media.

JOHN H. RICHARDSON, LUIGI: THE MAKING AND THE MEANING 93 (2025). This book, which is riddled with verifiable factual errors and false assumptions about Mr. Mangione, repeats the Chief of Detective's claim as it was a verified fact.

7. To date, there has been no documentation provided in discovery that confirms the Chief of Detective's statement as to Mrs. Mangione's alleged statement. In fact, all the discovery provided so far indicates that she did not make such a statement. Consequently, there are only two possibilities. One, that Mrs. Mangione never made this statement and that the Chief of Detectives purposefully provided false information to prejudice Mr. Mangione's ability to receive a fair trial. If it is true that Mrs. Mangione never made this statement, then it is shocking and unconscionable that the District Attorney's Office and the NYPD have never corrected this highly prejudicial false statement.

8. The second possibility is that Mrs. Mangione made this statement but, for some unexplained reason, the District Attorney's Office has failed to provide this statement to counsel as part of its discovery obligations. This failure would itself demonstrate that People's COC is not valid. We ask that the Court direct the District Attorney's Office to state for the record whether Mrs. Mangione made this statement to law enforcement. If the statement was not in fact made, counsel will seek additional remedies from the Court.

9. Lastly, the prosecution claims in their response that counsel's issues with the COC could have been resolved with a phone call or email to the District Attorney's Office addressing our concerns. Unfortunately, the lead prosecutor made clear back in April 2025 that he would not communicate with counsel via the phone and requested that counsel address inquiries in writing.

Yet, even when counsel addressed inquiries via email (such as when counsel could review the property in this case), the District Attorney's Office ignored counsel's emailed requests for months. That is why counsel addressed its COC issues by filing the October 21, 2025, motion with the Court challenging the validity of the COC.

10. For these reasons, as well as the reasons argued in counsel's October 21, 2025, motion, this Court should find that the District Attorney's September 16, 2025, COC was insufficient.<sup>2</sup>

Dated: November 11, 2025  
New York, NY

Respectfully submitted,



Karen Friedman Agnifilo  
Marc Agnifilo  
Jacob Kaplan

*Counsel for Luigi Mangione*

cc: A.D.A. Joel Seidemann (via email)  
A.D.A. Kristin Bailey (via email)  
A.D.A. Zachary Kaplan (via email)

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<sup>2</sup>Since filing its COC, the District Attorney's Office has provided two additional tranches of discovery, one on November 6, 2025, and another on November 10, 2025. The November 6<sup>th</sup> tranche includes discovery, including body-worn camera footage, that the District Attorney's Office received months before the COC. The District Attorney's Office has informed counsel that the prosecution intends to file a supplemental COC this week explaining the reasons for the disclosures made after the September 16, 2025, COC.