

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

-----X

THE PEOPLE OF THE STATE OF NEW YORK, :

- against -

:

DECISION AND ORDER

Ind. No. 75657-24

LUIGI MANGIONE, :

Defendant. :

-----X

JUSTICE GREGORY CARRO:

The People move for a protective order regulating disclosure of juror addresses pursuant to Criminal Procedure Law § 270.15(1 a), and further request an order prohibiting disclosure of juror names other than to the parties and counsel of record. The defense opposes.

Upon review of the submissions, the court finds good cause to grant the People's motion.

The record demonstrates significant pretrial publicity surrounding this case, including extensive media coverage and repeated public demonstrations outside the courthouse. The People have documented threats, harassment, and exposure of personal information directed at individuals perceived as connected to the case, including witnesses and others. They further cite instances in which individuals identifying themselves as supporters of the defendant engaged in inflammatory and hostile public statements outside the courthouse and announced their intention to attend jury selection to attempt to speak to prospective jurors.

The court finds that these circumstances create a realistic and substantial risk that prospective and sworn jurors could be subject to harassment, intimidation, or improper outside influence, and that disclosure of their identifying information would meaningfully increase that risk. The Court is obligated to safeguard the integrity of jury service and ensure that jurors may perform their duties without fear, pressure, or undue exposure.

Criminal Procedure Law § 270.15(1 a) authorizes the court, for good cause shown, to

restrict disclosure of jurors' addresses. Based on the record, including the examples of threats and harassment documented in the People's submissions, the court finds good cause for such a restriction here. Limiting disclosure of juror addresses to the parties and counsel is a reasonable and narrowly tailored measure to prevent harassment and protect the integrity of jury selection and deliberations.

Separately, the court will also restrict disclosure of juror names. Given the extraordinary public attention and the documented instances of threatening or hostile behavior by individuals outside the courthouse, the court finds that disclosure of juror names to the public poses an unjustifiable risk of interference with the administration of justice. Restricting public disclosure of juror names while making the names available to the parties and counsel is an appropriate and necessary safeguard.

These measures do not close the courtroom, limit public access to the proceedings, or impose any prior restraint on press coverage. They are limited protections directed solely at preventing harassment and preserving the integrity of the jury process in a high profile matter.

Accordingly, the People's motion is GRANTED and it is hereby

ORDERED, that pursuant to CPL § 270.15(1-a), the business or residential address of any prospective or sworn juror shall not be disclosed to anyone other than counsel of record for the parties; and it is furthered

ORDERED, that the names of prospective and sworn jurors shall be disclosed only to the parties and counsel, and shall not be disclosed publicly. The Commissioner of Jurors shall assign numbers to prospective jurors for use during voir dire and in open court; and it is further

ORDERED, that Christopher DiSanto, Chief Clerk of the Supreme Court, New York County, Criminal Term, shall implement the necessary measures and take all necessary steps to ensure compliance with this Decision and Order.

The foregoing constitutes the Decision and Order of the court.

Dated: August 11, 2026

New York, New York



Justice, Supreme Court

HON. GREGORY CARUSO

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

THE PEOPLE OF THE STATE OF NEW YORK

-against-

LUIGI MANGIONE,

Defendant.

NOTICE OF MOTION

Dkt. No. IND-75657-24

FILED UNDER SEAL

PLEASE TAKE NOTICE, that the People will move this Court, located at 100 Centre Street, New York, New York, on a date and time to be set by the Court, for a protective order (1) prohibiting disclosure of juror addresses other than to counsel of record for the parties; (2) prohibiting disclosure of juror names other than to the parties and counsel of record; and for such other and further relief as this Court may deem just and proper. A supporting affirmation, memorandum of law, and exhibits are attached to this notice of motion.

DATED: July 22, 2026

Respectfully submitted,

Alvin L. Bragg, Jr.
District Attorney
New York County

By: Kristin Bailey
Kristin Bailey
Assistant District Attorney
Of Counsel

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

THE PEOPLE OF THE STATE OF NEW YORK

-against-

LUIGI MANGIONE,

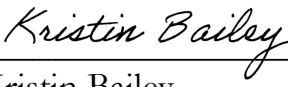
Defendant.

AFFIRMATION
IN SUPPORT OF
SERVICE BY
ELECTRONIC
DELIVERY

Indictment No.
IND-75657-24

The undersigned, being the attorney of record for the People of the State of New York in this matter, affirms under penalties of perjury that on July 22, 2026, she served a copy of the People's motion for a protective order dated July 22, 2026, on defendant's attorney, Karen Friedman Agnifilo, by electronic delivery to the attorney's designated electronic mail address, which is karen@agilawgroup.com and by mail to 140 Broadway, Suite 2450, New York, NY 10005.

Dated: New York, New York
July 22, 2026



Kristin Bailey
Assistant District Attorney
(212) 335-9012

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

THE PEOPLE OF THE STATE OF NEW YORK

-against-

LUIGI MANGIONE,

Defendant.

UNDER SEAL

AFFIRMATION AND
MEMORANDUM OF
LAW IN SUPPORT OF
MOTION FOR A
PROTECTIVE ORDER
REGULATING
DISCLOSURE OF JUROR
ADDRESSES AND
NAMES

Indictment No.
IND-75657-24

KRISTIN BAILEY, an attorney admitted to practice before the Courts of this State, affirms under penalty of perjury that:

1. I am an Assistant District Attorney in the New York County District Attorney's Office and am assigned to the prosecution of the above-captioned case along with Assistant District Attorneys Joel J. Seidemann and Zachary Kaplan.
2. I submit this affirmation in support of the People's motion for a protective order regulating disclosure of juror addresses and names.
3. Defendant is charged under Indictment Number 75657/24 with one count of Murder in the Second Degree, PL § 125.25(1), two counts of Criminal Possession of a Weapon in the Second Degree, PL §§ 265.03(1)(b) and (3), one count of Criminal

Possession of a Weapon in the Third Degree, PL § 265.02(7), two counts of Criminal Possession of a Weapon in the Third Degree, PL § 265.02(8), one count of Criminal Possession of a Weapon in the Third Degree, PL § 265.02(2), one count of Criminal Possession of a Weapon in the Fourth Degree, PL § 265.01(9), and one count of Criminal Possession of a Forged Instrument in the Second Degree, PL § 170.25, arising from his shooting of victim Brian Thompson on December 4, 2024, at approximately 6:45 am in front of the Hilton Hotel located at 1335 Avenue of the Americas, here in New York County.

4. This case is currently set for trial to begin on September 8, 2026, in Part 32 of the Supreme Court of New York County.

5. For the reasons stated below, the pretrial publicity surrounding this case presents a significant risk of juror harassment and intimidation that warrants reasonable protective measures to ensure the integrity of these proceedings, minimize obstacles to jury selection, and protect juror safety.

6. The People therefore respectfully request a protective order that provides two forms of relief. First, pursuant to CPL § 270.15(1-a), the Court should restrict disclosure of the business or residential address of any prospective or sworn juror other than to counsel of record for either party. Second, pursuant to the Court's inherent authority, the Court should prohibit disclosure of juror names other than to the parties and counsel. For the reasons described below, these tailored restrictions are well within the Court's

authority, are amply supported by good cause, and are necessary to reduce the risk of jury tampering and intimidation.

7. Almost immediately following the shooting on December 4, 2024, numerous news media outlets released stories about the murder of Brian Thompson. Public interest in the case was expressed on multiple platforms across the world, including on various social media sites. In the days before and after defendant's arrest, daily news stories covered the investigation into the whereabouts and identity of the shooter. Businesses and locations that defendant had visited before, during, and after the murder, received more attention from the media and the public at large due to interest in the facts of the case. Journalists and members of the public sought out interviews by anyone and everyone known to have had contact with defendant during his time in New York City, flight from his crime, and ultimate arrest, resulting in several involved in the investigation receiving media attention.

8. Unfortunately, this attention did not end as the news of defendant's apprehension subsided. Instead, the murder that defendant committed has sparked controversy that has led to threats against some people involved in the case. The District Attorney's Office has learned of threats, harassment, and exposure of personal information of individuals, businesses, and organizations perceived as assisting in the investigation into and apprehension of the defendant.

9. The People's affirmation in support of a protective order dated April 10, 2025, sets out in detail examples – with supporting documentation – of threats and harassment

directed at six different groups of people connected to this case. See Exhibit A, pages 27-37. Furthermore, the People's affirmation in support of a protective order dated November 12, 2025, detailed additional examples of threats and harassment directed at individuals connected to this case. See Exhibit B, pages 9-12.

10. Furthermore, prior to court appearances on February 21, 2025 and April 25, 2025, the courthouse was surrounded by posters, banners, and even mobile television screens featuring the words "jury nullification" alongside expressions of support for defendant. Relevant photos are attached as Exhibit C. The pressure that defendants' supporters seek to place on potential jurors will only increase once the trial actually starts.

11. Similar conduct has unfortunately persisted. For instance, at a May 18, 2026, court appearance, three individuals who described themselves as "Mangionistas" received press access to the courtroom and were recorded outside of the courthouse saying things like, "F—k Brian Thompson...f—k his mom" and "His children are better off without him. Enjoy the blood money, kids. Brian Thompson was a terrorist." The self-described Mangionistas then said that they were looking forward to jury selection and would be present at jury selection to inform prospective jurors of their rights. Press access allows individuals separate access to the courtroom from the general public, and a specific number of seats are typically reserved for the press at each appearance.

12. Furthermore, at many court appearances in this case, the street outside the courthouse has been lined with news outlets, reporters, and television cameras to report

on the court proceedings. Lines have formed to gain access to the courtroom. Barricades outside of the courtroom are set up for crowd control, and there is typically a line of people waiting for seats to become available. During these proceedings, the number of court officers within and outside the courtroom increased for crowd control and safety. The Supreme Court Arraignment of the defendant was recorded and televised. Reporters who do gain access to the courtroom live-stream the contents of the proceedings through online platforms like X (formally known as Twitter). During the pre-trial hearings conducted in December 2025, daily news stories recapping the testimony and events of the day appeared in multiple outlets and formats. Most recently, on July 17, 2026, the Office of Court Administration (OCA) posted instructions on their public website (<https://www.nycourts.gov/public-information>) for media access for the next two court dates of August 11, 2026, and September 8, 2026, which is the date trial is scheduled to begin. See Exhibit D.

MEMORANDUM OF LAW

New York law authorizes this Court, on a showing of good cause, to implement measures to protect prospective and sworn jurors from harassment, tampering, or other harms in defendant's upcoming felony trial. To that end, the People request two forms of relief. First, the People request that the Court enter a protective order for good cause shown prohibiting disclosure of the business or residential address of any prospective or sworn juror, other than to counsel of record for the parties. CPL § 270.15(1-a). Such a

protective order will help prevent jury tampering, harassment, violence, and other potential harms. And because defendant's attorneys will have access to the jurors' addresses, defendant will not suffer any meaningful prejudice, particularly if the court provides neutral jury instructions to explain these procedures. Second, the People request that the Court enter a similar order prohibiting disclosure of juror names other than to the parties and counsel of record.

I. The Court should issue a protective order prohibiting disclosure of juror's addresses, if available, to anyone other than the attorneys of record

The People move for an order prohibiting the disclosure of jurors' addresses, if available, to anyone other than the parties' attorneys of record. CPL § 270.15(1-a) provides that, "for good cause shown," the court may issue a protective order "regulating disclosure of the business or residential address of any prospective or sworn juror to any person or persons, other than to counsel for either party." The statute further states that "in determining whether good cause exists, the court may consider the extent of pretrial publicity concerning the criminal action or proceeding."

Good cause determinations "are necessarily case-specific and therefore fall within the discretion of the trial court." *People v. Linares*, 2 N.Y.3d 507, 510 (2004). As the Court of Appeals has explained, "[b]y its very nature, good cause admits of no universal, black-letter definition. Whether it exists, and the extent of disclosure that is appropriate, must remain for the courts to decide on the facts of each case." *In re Linda F.M.*, 52 N.Y.2d 236,

240 (1981); *see also Matter of Molloy v. Molloy*, 137 A.D.3d 47, 52-53 (2d Dep’t 2016) (“[G]ood cause should be read in context by considering the statute as a whole,” and “should also be interpreted in accordance with legislative intent, as expressed in the legislative history.”).

Here, the attacks that defendants’ supporters have made on witnesses and individuals connected to this case – which are recounted in detail above and in the incorporated exhibits – raise the reasonable concern that allowing public disclosure of jurors’ addresses, if provided, would risk subjecting them to harassment, tampering, violence, and other harms. Although CPL § 270.15(1-a) does not define “harassment” or “tampering,” the potential danger to jurors closely tracks the core conduct of Penal Law provisions that prohibit such misconduct.

Restricting disclosure of juror addresses will make it more difficult for defendant’s supporters—or others—to harass jurors by, for example, following them in public places or engaging in other courses of conduct that alarm jurors and serve no legitimate purpose. PL § 240.26 (a person commits second-degree harassment when, “with intent to harass, annoy or alarm another person,” they follow “a person in or about a public place or places” or engage “in a course of conduct or repeatedly commits acts which alarm or seriously annoy such other person and which serve no legitimate purpose”).

Even beyond the specific examples of “good cause” listed in the statute—such as tampering and harassment—disclosure of juror addresses could threaten the integrity of

the proceedings in other ways, too. Public dissemination of jurors' information in this high-profile case could lead to harassment or threats against not just the jurors themselves, but also their families and neighbors. Prospective jurors may also be deterred from serving on the jury—thus imposing unnecessary obstacles to jury selection—based on concerns that, like jurors in other cases, they or their families and neighbors could be subject to attack.

Although this issue has not arisen frequently on appeal, the Appellate Division, Second Department, has affirmed a trial court's decision to order such relief in a trial that "attracted enormous media coverage." *Newsday, Inc., v. Goodman*, 159 A.D.2d 667, 668 (2d Dep't 1990). In the underlying criminal trial, the trial court issued a protective order restricting disclosure of juror addresses and names "[o]ther than to counsel for the People and the defendant." *Id.* The trial court found good cause for a protective order "to ensure the integrity of jury deliberations" because, among other factors, there had been "[d]aily harassment of individuals connected with this case"; the trial required assigning a larger-than-usual presence of court officers in the courtroom and crowd control measures outside; and the defendant's attorney had "received threats"—all of which gave the court "a realistic concern for protecting the jurors from potential harassment." *Id.* at 668-69. When a newspaper sought to learn the jurors' addresses and other personal information by filing an Article 78 petition, the Appellate Division, Second Department, rejected the newspaper's claims. In doing so, the Appellate Division relied on CPL § 270.15(1-a), and

also on the fact that the trial court had made “a specific finding which clearly showed that the petit jurors’ ability to serve, without fear of intimidation or harassment, was in jeopardy.” *Id.* at 670-71. The same concerns justify a protective order shielding jurors’ addresses from disclosure in this case too.

Such a protective order would not cause any prejudice to defendant. To the extent that the jurors’ addresses could be used to aid the defense in any legitimate, non-harassing manner, defense counsel will have access to that information. Moreover, the Court could, if necessary, provide appropriate jury instructions to ensure that the jury does not interpret any procedures the Court adopts as an indication of defendant’s guilt, innocence, or dangerousness. *See People v. Flores*, 153 A.D.3d 182, 192 (2d Dep’t 2017), *aff’d*, 32 N.Y.3d 1087 (2018).

II. The Court should prohibit disclosure of juror names other than to the parties and counsel of record

The People also request that the Court prohibit disclosure of the names of prospective or sworn jurors other than to the parties and counsel. The Court has inherent authority to seal juror names and restrict disclosure of those names to the parties and their counsel of record only. In the criminal trial at issue in *Newsday, Inc. v. Goodman*, the trial court restricted the disclosure of jurors’ names “other than to counsel for the People and the defendant.” *Newsday, Inc. v. Goodman*, 159 A.D.2d at 668. That court relied, in part, on the “enormous media coverage” the case had attracted, as well as “[d]aily harassment of

individuals connected with this case,” which established “a realistic concern for protecting the jurors from potential harassment.” *Id.* at 668-69. Thus, the *Newsday, Inc. v. Goodman* court concluded that to “preserve the integrity of the jury deliberations in this case,” it was “essential” that the names and identities of the jurors “not be disclosed.” *Id.* at 669.

The Court in *People v. Owens*, 187 Misc. 2d 272 (Sup. Ct. Monroe Cnty. 2001), ordered similar relief. *Id.* at 273-74. There, the court found good cause to order that “[a]ny record of the names and addresses of all jurors shall be sealed in an effort to protect the anonymity of the jurors,” while allowing disclosure of juror names to “defendant and all counsel.” *Id.* Similarly, here in New York County Supreme Court in both *People v. Donald J. Trump* (Ind. 71543/23) and *People v. Daniel Penny* (Ind. 72890/23) good cause was found, on consent, to limit disclosure of the addresses of jurors to parties’ attorneys and to limit disclosure of the names of jurors to the defendants and the attorneys of record.

Here, for the reasons described above and detailed in the attached and incorporated exhibits, good cause supports sealing the names of prospective or sworn jurors and limiting disclosure of those names to the parties and their counsel. Judges have a special duty to protect jurors from threats, including not just physical threats but also harassment and intimidation. *See People v. Lavender*, 117 A.D.2d 253, 256 (1st Dep’t 1986) (recognizing trial court’s “duty to protect those citizens of the State who are ‘drafted’ and properly respond to a subpoena summoning them for jury service” from “unnecessary personal risk”). And the Court’s “inherent authority ‘to impose reasonable rules to control the

conduct of the trial,”” *People v. Knowles*, 88 N.Y.2d 763, 766 (1996) (quoting *People v. Hilliard*, 73 N.Y.2d 584, 586 (1989)), surely extends to the reasonable step of sealing juror names—while still providing access to defendant and defense counsel—on a factual showing that public disclosure of those names will risk the integrity of the proceedings and the Court’s very ability to impanel a jury.¹ See *Goodman*, 159 A.D.2d at 668; *Owens*, 187 Misc. 2d at 273-74.

Dated: July 22, 2026

Alvin L. Bragg, Jr.
District Attorney
New York County

By: Kristin Bailey
Kristin Bailey
Assistant District Attorney
Of Counsel
(212) 335-9012

¹ By this request, the People are not asking to close the courtroom during voir dire or at any other stage, and are not seeking any prior restraint on the press. Instead, the Court may implement an order sealing juror names by asking that the names of prospective jurors be assigned a number by the Commissioner of Jurors before being drawn and called, and that the corresponding names be disclosed only to the parties and their counsel. The courtroom need not be closed because juror names then would not be used in the courtroom.

Exhibit A (under seal)

Exhibit B (under seal)

Exhibit C

February 21, 2025



April 25, 2025



Exhibit D



New York State
Unified Court System

I am a ... ▼

The Courts ▼

Forms

Co

ABOUT US

Public Information

Media/Press Center



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- [Decision & Order](#), Sept. 16, 2025

**SUPREME COURT OF THE STATE OF NEW YORK
COUNTY OF NEW YORK**

THE PEOPLE OF THE STATE OF NEW YORK

-against-

Luigi Mangione,

Defendant.

**AFFIRMATION AND MEMORANDUM OF LAW IN SUPPORT OF
MOTION FOR A PROTECTIVE ORDER REGULATING DISCLOSURE
OF JUROR ADDRESSES AND NAMES**

DOCKET NO. IND-75657-24

**Alvin L. Bragg, Jr.
District Attorney
New York County
One Hogan Place
New York, New York 10013
(212) 335-9000**

**Joel Seidemann
Assistant District Attorney
Of Counsel**

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.

X

AFFIRMATION IN
OPPOSITION TO MOTION FOR
A PROTECTIVE ORDER
REGULATING DISCLOSURE
OF JUROR NAMES

Ind. No. 75657/2024

FILED UNDER SEAL

X

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 affirmation in opposition to the People's motion for a protective order regulating disclosure of juror names, filed by the District Attorney's Office on July 22, 2026, and their supplemental letter in support, filed on August 5, 2026.

2. The People's application for a protective order withholding the names of prospective jurors from the public should be denied. The defense does not object to the People's request to keep juror residential addresses confidential, not because the People have met their statutory burden, but for juror privacy reasons generally.

3. Criminal Procedure Law § 270.15 requires the People to make a sufficient factual showing demonstrating that the extraordinary measures they seek are warranted. They have failed to satisfy that burden. The statute sets forth the applicable standard as follows:

The court may, upon a finding that there is good cause to believe that a threat to the safety or integrity of the jury exists, upon motion of either party or any affected person or upon its own initiative, issue a protective order for a stated period regulating disclosure of the names and the business or residential address of any

prospective or sworn juror to any person or persons, other than to counsel for either party. In determining whether good cause exists, the court may consider:

- (a) Whether the defendant or persons acting on behalf of the defendant have bribed, tampered with, or caused or attempted to cause physical injury to or harassed a juror or prospective juror in another criminal action or proceeding or in the instant criminal action or proceeding;
- (b) The seriousness of the charges against the defendant, including whether the defendant is charged with participating in a large-scale criminal enterprise; and
- (c) The extent of pretrial publicity concerning the criminal action or proceeding.

The People have failed to establish either the factual or legal predicate necessary to justify withholding the names of prospective jurors from the public.

4. First, the statute is premised upon the existence of an actual threat to the safety or integrity of the jury. Its language does not contemplate speculative, hypothetical, or possible future threats. Nor does it authorize extraordinary measures based upon generalized concerns or conjecture. Rather, the statute requires a showing that a present, existing threat to the safety or integrity of the jury exists.

5. Here, the People have made no such showing. They have identified no specific facts demonstrating that any actual, existing threat to the safety or integrity of the jury presently exists. In fact, the People admit that their application is based merely on possible future threats, stating “In order to assure potential jurors that they will not be threatened, harassed or otherwise pressured by organizations or individuals interested in the outcome of the case, this Court must implement safeguards...” (People’s August 5, 2026, letter, p.2). Rather than alleging that a pending, actual threat exists, as the statute requires, the People instead engage in speculation and conjecture about what could happen in the future. However, the statute explicitly requires a threat that exists, not

one that might happen in the future. The reality, of course, is that no threat exists. In the absence of a factual showing that an actual threat exists, the statutory predicate has not been satisfied, and the application must be denied.

6. Additionally, the People ask for juror anonymity from the public because jurors may be “pressured.” First, aside from the People’s imagination of future events, there is no evidence that a juror will be pressured by anyone. Second, juror pressure, whatever that means, is not in the statute, which refers only to a threat to the safety or integrity of the jury.

7. The requirement that the threat be actual and presently existing is reinforced by the remainder of the statute, which directs the Court to consider three specific factors in determining whether juror anonymity is warranted. Notably, the People address only one of those factors—pretrial publicity—while entirely ignoring the other two. That omission is telling. The first two statutory considerations weigh decidedly against the extraordinary relief the People seek, and their failure to address them underscores the absence of any factual basis for withholding the identities of prospective jurors from the public.

8. The first statutory factor directs the Court to consider: “[w]hether the defendant or persons acting on behalf of the defendant have bribed, tampered with, or caused or attempted to cause physical injury to or harassed a juror or prospective juror in another criminal action or proceeding or in the instant criminal action or proceeding.”

9. This provision is significant because it illustrates the type and magnitude of threat the Legislature contemplated when authorizing the extraordinary remedy of juror anonymity. Two aspects of this factor are particularly noteworthy.

10. First, the statute limits its inquiry to conduct committed by the defendant or persons acting on the defendant's behalf. In other words, the alleged threat must be legally attributable to

the defendant, either because he personally engaged in the conduct or because another person acted at his direction or on his behalf. The statute does not encompass the independent actions of unrelated third parties, members of the public, or individuals over whom the defendant exercises no control. Had the Legislature intended to authorize anonymous juries based upon generalized public sentiment or the conduct of unaffiliated actors, it could easily have said so. It did not.

11. There has been no allegation that Mr. Mangione, or someone acting at his direction or on his behalf, engaged in, or attempted to engage in, any of the conduct contemplated by this section. The People have cited as justification for their request, in paragraph 11 of their affirmation, conduct by three individuals who made reprehensible statements outside of court on May 18, 2026. These individuals have no affiliation with Mr. Mangione whatsoever and do not act on his behalf.¹ Indeed, within hours of learning of these terrible comments, counsel departed from our general practice thus far of refraining from making public statements and issued the following public condemnation:

These individuals do not represent the views of Luigi, nor the tens of thousands who have shown their support from around the world. The only people who speak for Luigi are his attorneys. We condemn these vile and irresponsible statements that have no place in the discourse around these cases.

12. Second, the statute identifies specific categories of misconduct: bribing, tampering with, causing or attempting to cause physical injury to, or harassing a juror or prospective juror. These are not generalized concerns or speculative risks; they are concrete acts of misconduct directed at the jury.

¹ Moreover, there have been no communications from our client or his legal team to these individuals. They are not representative of Mr. Mangione's supporters, who—according to the supporter-built Stats 4 Lulu Dashboard—include approximately 41,706 legal fund donors and at least 6,927 letter writers from 66 countries around the world. See https://datastudio.google.com/u/0/reporting/f8ea035e-9a51-498e-b77c-ec1b971eada0/page/p_06ugzvjsd?s=smgrVIDQwas.

13. There has been no allegation—let alone any evidence—that Mr. Mangione has bribed, tampered with, threatened, attempted to injure, or harassed any juror or prospective juror, or that he directed or encouraged anyone else to do so. Nor could the People make such a showing. Instead of attempting to satisfy this statutory factor, the People simply ignore it altogether, omitting any discussion of a provision that plainly weighs against the extraordinary relief they seek.

14. In their August 5, 2026, letter, the People complain of press reports on the topic of jury nullification and state that these are “highly publicized and defense-supported efforts to influence potential jurors.” The allegation that the defense is behind these news reports is as false as it is desperate. But, more to the point, the antidote to jurors being exposed to press reporting of any type is not to anonymize them. In fact, that does nothing to eliminate press exposure. The answer is to give the jury the standard instruction not to read the press on this case. The People have resorted to ever-increasing baseless and desperate measures, which include ad hominem attacks against counsel, to violate Mr. Mangione’s rights to a fully public trial because they are unable to meet the clear requirements of the relevant statute.

15. The second statutory factor—also omitted entirely from the People’s application—directs the Court to consider: “[t]he seriousness of the charges against the defendant, including whether the defendant is charged with participating in a large-scale criminal enterprise.”

16. While Murder in the Second Degree is unquestionably a serious charge, the remainder of this subsection reveals the Legislature’s true concern: organized, group-based criminal activity. The statute specifically instructs the Court to consider whether the defendant is alleged to have participated in a large-scale criminal enterprise because such organizations

continue to operate even when one or more of their members are incarcerated.² The ongoing existence of a criminal enterprise presents an obvious and heightened risk that associates acting on the defendant's behalf may attempt to influence, intimidate, bribe, or otherwise interfere with jurors or witnesses. It is that unique danger—not merely the seriousness of the charged offense—that this statutory factor is designed to address.

17. There is not the slightest allegation that Mr. Mangione is, or ever has been, a member of any criminal enterprise or that he engaged in organized or group-related criminal activity. To the contrary, the People's theory throughout this prosecution has been that Mr. Mangione acted alone. According to the official transcript of a December 9, 2024, press conference conducted by the New York City Mayor and the NYPD Police Commissioner, a question was posed by a journalist: “do you believe that Mangione acted alone?” The NYPD Chief of Detectives replied, “we believe at this point our investigation is leaning toward he was acting alone.” Thus, this statutory factor, like the first, weighs squarely against the extraordinary relief the People seek.

18. The third statutory factor concerns the extent of pretrial publicity. There is no dispute that this case has received extraordinary public attention. What the People fail to acknowledge, however, is that much of that publicity was affirmatively generated by law enforcement itself, not by Mr. Mangione.

19. Even before Mr. Mangione's arrest, law enforcement embarked on an unprecedented public relations campaign. The NYPD publicly characterized a notebook as a

² The People have listened to Mr. Mangione's recorded telephone calls while incarcerated and there is absolutely no evidence that Mr. Mangione is part of any organization or that he is attempting to have others act on his behalf. Had this evidence existed, the People surely would have alleged such facts, which they have not.

"manifesto," a label plainly calculated to attract public attention and shape public perception.³ The Manhattan District Attorney then held a press conference announcing charges of terrorism and Murder in the First Degree—charges that were later dismissed. Shortly thereafter, the NYPD, FBI, and other law enforcement agencies orchestrated what has been widely perceived to be one of the most highly publicized perp walks in U.S. history,⁴ alerting the media in advance of escorting Mr. Mangione, surrounded by scores of heavily armed officers, before an international press corps.

20. Several months later, then-Attorney General Pamela Bondi issued an unprecedented public statement directing prosecutors in the Southern District of New York to seek a capital indictment against Mr. Mangione in his separate, duplicative and overlapping federal case, as part of the Administration's "Make America Safe Again" initiative. That same day, she used her official social media account to publicly advocate for Mr. Mangione's execution and subsequently repeated that position during a nationally televised Sunday morning news program.

21. It was not until the defense sought relief in the federal court under Local Criminal Rule 23.1, requesting restrictions on extrajudicial statements by lawyers associated with the case, that the government and law enforcement's public commentary concerning Mr. Mangione began to subside.

22. To bring further press attention to this case, the People repeatedly characterized the homicide as an "assassination" and "execution" throughout the suppression hearing, at least 29 times, employing rhetoric calculated to portray this prosecution as something other than what it is.

³ Indeed, the prosecution continued to reference a private journal as a "manifesto" throughout pre-trial suppression hearings, continuing this prejudicial framing.

⁴ Emma Fitzsimmons, *At Luigi Mangione's Perp Walk, Mayor Eric Adams Appeared Stage Right*, N.Y. TIMES (Dec. 20, 2024), <https://www.nytimes.com/2024/12/20/nyregion/luigi-mangione-eric-adams.html>.

That theme continues with the People's stated intention to call an "assassination expert" at trial, an effort to transform what is legally a prosecution for Murder in the Second Degree into something more sensational and emotionally charged. Such loaded terminology serves no legitimate legal purpose. It risks unfairly influencing both prospective jurors and the public by substituting inflammatory labels for the statutory offenses actually charged.

23. The irony of the People's application is therefore unmistakable. They now invoke the extraordinary publicity surrounding this case as a basis for withholding prospective jurors' identities from the public, while ignoring that virtually all of that publicity was deliberately generated by government actors themselves. The statute was never intended to permit the government to create an atmosphere of extraordinary public attention and then rely upon that very government-generated publicity as justification for extraordinary restrictions on public access to criminal proceedings.

24. Instead, the District Attorney seeks to capitalize on the prejudicial publicity it helped create to violate yet another of Mr. Mangione's rights, specifically related to a fully public trial.

25. The defense does not object, as a general matter, to withholding prospective jurors' home addresses from public disclosure. That is a routine privacy measure and does not depend upon any case-specific showing. The People's request to go further, however, by withholding jurors' names, is an extraordinary measure carrying significant prejudicial consequences. Jurors are likely to infer that such protection is necessary because the defendant is uniquely dangerous or because there exists some undisclosed threat associated with him. That implication is particularly damaging where, as here, the defendant remains cloaked with the presumption of innocence and the People have failed to establish the factual predicate required by Criminal Procedure Law §

270.15. On this record, there is simply no basis to impose a measure that unnecessarily risks undermining that fundamental presumption of innocence. An anonymous jury risks communicating to the jurors, before a single witness is called, that the Court itself believes they require protection from the defendant. Such an inference is precisely the type of prejudice courts should take every reasonable step to avoid. On this record, where the People have failed to establish the factual predicate required by Criminal Procedure Law § 270.15, there is no justification for sending such a powerful and unwarranted signal to the jury.

26. The People will likely argue that the prejudice claimed by the defense can be addressed by a jury charge to not infer anything about the defendant from the jurors' names not being public. There is no charge that will cure the prejudice of a partially anonymous jury. The jury will believe either that the defendant poses some risk to them or that supporters of the defendant pose some risk to them. Either belief is wholly inconsistent with the defendant's rights to a fair trial and to be presumed innocent. It also automatically tips the balance in favor of the prosecution. There is no world where a juror believes his or her name is being kept confidential because of some concern of law enforcement. The concern is always with the defendant directly or indirectly. This is why the statute requires a factual showing of an actual existing threat. To prejudice the defendant in the absence of any threat, much less an actual existing one, would violate the statute and the defendant's constitutional rights.

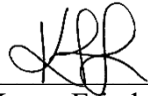
27. This Court has an independent obligation to safeguard not only the safety of jurors, but also the fairness and perceived fairness of these proceedings. Criminal Procedure Law § 270.15 reflects the Legislature's recognition that anonymous juries are an extraordinary departure from the longstanding presumption of openness in criminal trials and should be employed only when the statutory requirements have been satisfied. Because the People have failed to demonstrate an

actual, existing threat attributable to Mr. Mangione or anyone acting on his behalf, and because the remaining statutory considerations likewise weigh against the requested relief, the People's application should be denied. The Court should instead preserve the openness of these proceedings and avoid imposing an unnecessary measure that risks undermining the presumption of innocence before jury selection has even begun.

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AGNIFILO INTRATER LLP

By:



Karen Friedman Agnifilo, Esq.
Marc Agnifilo, Esq.
Jacob Kaplan, Esq.
140 Broadway, Suite 4530
New York, NY 10005
T: (646) 205-4350