

IN THE COURT OF COMMONPLEAS OF BLAIR COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

**ORIGINAL**

COMMONWEALTH OF PENNSYLVANIA, : Case No. 2024 M.D. 1546

VS :

LUIGI MANGIONE, Inmate #QQ-7787

**PETITION FOR WRIT OF  
HABEAS  
CORPUS/IMPOSITION  
OF BAIL**

COMMONWEALTH OF PENNSYLVANIA,

ex rel. LUIGI MANGIONE

**Filed on behalf of:**

**LUIGI MANGIONE**

VS

JOHN RIVELLO, Superintendent

**Attorney for Defendant:**

State Correctional Institution,

Thomas M. Dickey, Esquire

Huntingdon, Pennsylvania

Pennsylvania ID # 41475

: **TOM DICKEY LAW OFFICES, P.C.**

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COMMONWEALTH OF PENNSYLVANIA,

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VS

HABEAS CORPUS, et. al

LUIGI MANGIONE

Inmate #QQ-7787

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VS

JOHN RIVELLO, Superintendent

State Correctional Institution,

Huntingdon, Pennsylvania

FILED  
BLAIR COUNTY  
ROBING G. PATTISON  
CLERK OF COURT  
CLERK OF APPELLATE COURT  
2024 DEC 12 AM 9:54

PETITION FOR WRIT OF HABEAS CORPUS

PETITION FOR IMPOSITION OF BAIL

TO THE HONORABLE JUDGE OF SAID COURT:

Relator/Defendant, LUIGI MANGIONE, by and through his attorney, Thomas M. Dickey, Esquire, respectfully represents as follows:

1. Relator/Defendant, LUIGI MANGIONE, is presently incarcerated in the State Correctional Institution Huntingdon, located in Huntingdon County, Pennsylvania.

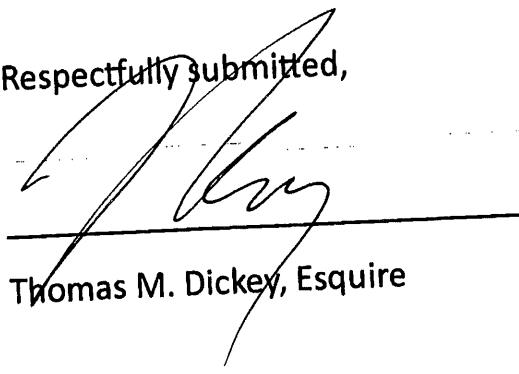
2. Respondent is the Commonwealth of Pennsylvania and John Rivello, Superintendent, State Correctional Institution of Huntingdon, Pennsylvania
3. Relator/Defendant was arrested on 12/09/2024 in Blair County, Pennsylvania and charged with various offenses at incident number 2024-29133.
4. Relator/Defendant is also the subject of a police criminal complaint filed on 12/10/2024 in Blair County Pennsylvania at 2024 M.D. 1546. Said complaint has been filed pursuant to the Uniform Criminal Extradition Act; 42 Pa C.S.A. § 9121 et. seq.
5. Said complaint has been filed upon receipt of a Warrant of Arrest filed in the Criminal Court, City of New York at CR-036031-24NY. Said Warrant of Arrest alleges and charges that Relator/Defendant committed the offense of PL 125.25(i).
6. Relator/Defendant alleges that his incarceration in the State Correctional Institution Huntingdon is illegal and unlawful in that the Commonwealth has not proven that:
  - a. Relator/Defendant was present in the demanding state (New York) at the time of the commission of the Offense Charged as required by the Uniform Criminal Extradition Act; and/or,
  - b. that sufficient probable cause exists establishing that Relator/Defendant committed the Offense Charged in the demanding state (New York) and/or,
  - c. that Relator/Defendant is a fugitive from the demanding state (New York)
7. All of the foregoing requirements must be met under the Uniform Criminal Extradition Act; 42 Pa C.S.A. § 9121 et. seq. Insofar that the requirements of said Act have not been met at the present time. The Relator/Defendant must be released and discharged from custody, and all proceedings instituted by the Commonwealth relative to extradition must be dismissed with prejudice.

8. Insofar as no evidence has been presented that the Offense Charged under the Warrant of Arrest filed in the Criminal Court, City of New York at CR-036031-24NY is punishable by death or life imprisonment under the laws of the state in which it was alleged to have been committed, Relator/Defendant is entitled to Bail under the Uniform Criminal Extradition Act 42 Pa C.S.A. § 9137.
9. Relator/Defendant reserves the right to file an amended and/or supplemental petition upon receipt of additional information and/or Governor's Warrant.

WHEREFORE, your Petitioner, Relator/Defendant respectfully praise and requests that this Honorable Court enter an Order:

- (a) discharging him from custody and dismissing the extradition instituted by the Commonwealth with prejudice; and/or
- (b) admitting him to bail by bond with sufficient sureties and in such sum deemed proper; and/or
- (c) permitting Petitioner leave to file an amended or supplemental petition and/or motion
- (d) granting any other relief deemed appropriate

Respectfully submitted,



Thomas M. Dickey, Esquire

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LUIGI MANGIONE : HABEAS CORPUS, et. al  
Inmate #QQ-7787 :  
  
COMMONWEALTH OF PENNSYLVANIA, :  
ex rel. LUIGI MANGIONE :  
VS :  
JOHN RIVELLO, Superintendent :  
State Correctional Institution, :  
Huntingdon, Pennsylvania :

**CERTIFICATE OF SERVICE**

I, Thomas M. Dickey, Esquire, hereby certify that on December 12, 2024 a true and correct copy of the Petition for Habeas Corpus/Petition of Bail was hand delivered to the following party on today's date:

District Attorney Peter J. Weeks Esquire  
Blair County District Attorney's Office  
Blair County Courthouse  
423 Allegheny Street # 421  
Hollidaysburg, PA 16648

Tom Dickey Law Offices, P.C.

Thomas M. Dickey, Esquire  
Attorney for Defendant  
PA Supreme Court ID #41475