

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

X

THE PEOPLE OF THE STATE OF NEW YORK

v.

**NOTICE OF MOTION**

Ind. No. 75657/2024

LUIGI MANGIONE,

Defendant.

X

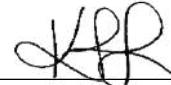
PLEASE TAKE NOTICE that, upon the annexed affirmation of KAREN FRIEDMAN AGNIFILO, Esq., affirmed to on October 21, 2025, upon the indictment and the produced discovery, defendant LUIGI MANGIONE will move this Court for an Order finding that the Certificate of Compliance filed by the District Attorney's Office on September 16, 2025, was insufficient.

Dated: October 21, 2025  
New York, NY

Respectfully submitted,

**AGNIFILO INTRATER LLP**

By:



Karen Friedman Agnifilo, Esq.  
Marc Agnifilo, Esq.  
Jacob Kaplan, Esq.  
140 Broadway, Suite 2450  
New York, NY 10005

cc: District Attorney's Office

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

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THE PEOPLE OF THE STATE OF NEW YORK

v.

LUIGI MANGIONE,

Defendant.

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

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X

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 affirmation in support of a 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. Pursuant to CPL § 245.50(1), the District Attorney’s Office shall serve a COC when the prosecution has

exercised due diligence and acted in good faith in making reasonable inquiries and efforts to obtain and provide the discovery required by subdivision one of section 245.20 of this article, except for discovery that is lost or destroyed as provided by paragraph (b) of subdivision one of section 245.80 of this article and except for any material or information that is the subject of an order pursuant to section 245.70 of this article.

3. In filing the COC, the District Attorney’s Office shall state the following:

after exercising due diligence and making reasonable inquiries and efforts to ascertain the existence of, obtain, and disclose material and information subject to discovery, the prosecution has disclosed and made available all known material and information it has obtained subject to discovery.

*Id.*

4. Here, counsel challenges the COC for the following three reasons. First, on page 7 of the COC, the District Attorney’s Office lists the contents of Batch 8 of discovery produced on April 25, 2025, which includes “Subpoena Returns (30 folders).” One of the folders contains the search warrant returns from WordPress in a PDF file named “Wordpress Return” (Bates # DANY\_00017748). As produced by the District Attorney’s Office, this file is unreadable.

5. Second, on page 10 of the COC, the District Attorney’s Office lists the contents of Batch 10 of discovery produced on July 31, 2025, which includes one PDF file named “Hawaii Arrest” (Bates # DANY\_00025117). As produced by the District Attorney’s Office, this file is also unreadable.

6. Third, during 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 a FBI task force.

7. Additionally, as noted in the media, Sergeant Michael Horan from the San Francisco Police Department contacted the FBI after observing a resemblance between the suspect from the New York City incident and the photos on Mr. Mangione’s social media. News Release, San Francisco Police Department, *SVU Sgt. Michael Horan Recognized for Identifying a High-Profile Murder Suspect 25-015*, (Jan. 30, 2025), <https://www.sanfranciscopolice.org/news/svu-sgt-michael-horan-recognized-identifying-high-profile>.

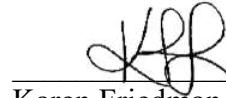
8. To date, however, the District Attorney’s Office has not produced any information or documentation in discovery related to either the missing person report filed in San Francisco or

reports concerning Sergeant Horan's observations. Because the NYPD relied on this information as part of their investigation, these items are subject to discovery under CPL § 245.20(1). Consequently, the District Attorney's Office should have "exercised due diligence and acted in good faith in making reasonable inquiries and efforts to obtain" these records. *See* CPL § 245.50(1). The prosecution has failed to do so.

9. Because the District Attorney's Office has not properly produced the WordPress and Hawaii arrest records and has not produced any records relating to the San Francisco reports, this Court should find that the District Attorney's September 16, 2025, COC was insufficient.

Dated: October 21, 2025  
New York, NY

Respectfully submitted,



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Karen Friedman Agnifilo  
Marc Agnifilo  
Jacob Kaplan

*Counsel for Luigi Mangione*