

COPY

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA

NO. 2024 CR 2724

vs.

LUIGI NICHOLAS MANGIONE,  
Defendant

HON. JACKIE ATHERTON BERNARD  
PETE WEEKS, ESQUIRE  
NICHOLE SMITH, ESQUIRE  
THOMAS DICKEY, ESQUIRE

PRESIDING JUDGE  
DISTRICT ATTORNEY  
FIRST ASST. DISTRICT ATTORNEY  
COUNSEL FOR DEFENDANT

2025 OCT 15 2:13:05  
CLERK OF COMMONS COURT

ORDER

**AND NOW**, this **15th day of October 2025**, entry of the following Order is deemed appropriate:

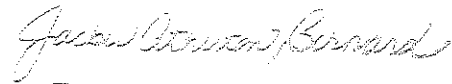
It is hereby **ORDERED, DIRECTED, and DECREED** that:

1. The Court previously received the Defendant's "Response/Objection to the Commonwealth's Notice of Federal Government Denial of Habeas Corpus Ad Prosequendum," which states: "The Defendant demands and insists that he be present in person for any and all critical stage proceedings in Pennsylvania and will not agree to waiver or diminish in any way, his right to be present as protected by the Constitution of the United States and of this Commonwealth," (Paragraph 6 of the Defendant's aforelisted filing).

2. In response to the Court's Order dated September 29, 2025, the Commonwealth filed its "Second Notice of the Federal Government's Denial of Writ of Habeas Corpus Ad Prosequendum", along with correspondence from the United States Attorney for the Southern District of New York, Sean S. Buckley. Said correspondence reiterated the refusal of the federal authorities to release the Defendant to Pennsylvania until the conclusion of his federal prosecution, including any applicable sentencing proceeding. The United States Attorney further repeated the availability of the Defendant for virtual appearances in Pennsylvania court.
3. The Court deems the Defendant presently unwilling and unavailable to appear remotely based upon the present recorded filings by the defense, making it impossible for this Court to convene substantive hearings on any of his pretrial motions or requests at this time. Therefore, those requests for hearing/relief, as contained in his "Response/Objections to Commonwealth's Notice of Federal Government Denial of Habeas Corpus Prosequendum" are **DENIED** and **DISMISSED** without prejudice in the event the Defendant's availability changes. Further, the Court deems the Defendant's unavailability as a waiver of Rule 600.
4. Pursuant to the prior order of court, the Commonwealth remains under an ongoing obligation to update the record and this Court every sixty (60) days on the status of the Defendant's availability for proceedings in Blair County,

Pennsylvania. Additionally, the defense likewise is **DIRECTED** to advise in writing by filing a proper certification of record as to the Defendant's demand for in-person appearance or if he has reconsidered and will appear remotely. Said certification shall be filed within fourteen (14) days of the Commonwealth's recorded update regarding the Defendant's availability for transport.

BY THE COURT:

A handwritten signature in cursive script, appearing to read "Jackie Atherton Bernard", written in dark ink.

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Jackie Atherton Bernard, J.

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