

IN THE COURT OF COMMON PLEAS OF BLAIR COUNTY PENNSYLVANIA
-CRIMINAL DIVISION-

COMMONWEALTH OF PENNSYLVANIA :

VS. :

CP-07-CR-0002724-2024

LUIGI NICHOLAS MANGIONE, :

Defendant. :

NOTICE OF DEFENDANT'S UNAVAILABILITY
FOR PERSONAL APPEARANCE IN THE BLAIR
COUNTY COURT OF COMMON PLEAS AND
PRAECIPE FOR CONSENT TO REMOTE
APPEARANCE

Filed on behalf of:
Commonwealth of Pennsylvania

Peter J Weeks, Esquire
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-CRIMINAL DIVISION-

COMMONWEALTH OF PENNSYLVANIA :

VS. :

LUIGI NICHOLAS MANGIONE, :

Defendant. :

CP-07-CR-0002724-20

FILED
BLAIR COUNTY
ROBIN G. PATTON
CLERK OF COURTS
AND CLERK OF JUDGES COURT
2025 AUG 21 PM 2:07

NOTICE OF DEFENDANT'S UNAVAILABILITY FOR PERSONAL APPEARANCE IN
THE BLAIR COUNTY COURT OF COMMON PLEAS AND PRAECIPE FOR CONSENT
TO REMOTE APPEARANCE

AND NOW, comes the Commonwealth of Pennsylvania, by and through the District Attorney's Office of Blair County, and files this NOTICE OF DEFENDANT'S UNAVAILABILITY FOR PERSONAL APPEARANCE IN THE BLAIR COUNTY COURT OF COMMON PLEAS AND PRAECIPE FOR CONSENT TO REMOTE APPEARANCE and in support thereof avers the following:

1. Defendant, LUIGI NICHOLAS MANGIONE ("Defendant-Mangione"), was charged at the above-captioned criminal action numbers with FORGERY - UTTERS FORGED WRITING (18 Pa.C.S. §4101A3 F3), FIREARMS NOT TO BE CARRIED W/O LICENSE (18 Pa.C.S. §6106A1), TAMPER RECORDS OR IDENTIFICATION - WRITINGS (18 Pa.C.S. §4104A), POSSESS INSTRUMENT OF CRIME (18 Pa.C.S. §907(a)), and various related criminal offenses.
2. On or about December 19, 2024, Defendant-Mangione elected to waive his preliminary hearing with a preservation of habeas and then waived extradition to the State of New York where he faces homicide and related waivers would cause him to be removed from the jurisdiction of Blair County in order to first prosecute him on his homicide case, the undersigned served a

- detainer by email and hand service to secure Defendant-Mangione's appearance after his homicide prosecution.
3. Notably, the logistics and costs for the transportation and housing of Defendant-Mangione were significantly greater than a typical inmate due to the media and public attention generated by the New York allegations. Further, there were significant security concerns regarding the custody and transportation of Defendant-Mangione due to the public attention the case has received and the threats received by the criminal justice system regarding Defendant-Mangione's prosecution.
 4. Subsequent to Defendant-Mangione's custody being transferred from the Blair County Sheriff to the New York City Police Department, he was taken into custody by the United States Government on a federal indictment for homicide and related charges. Consequently, Defendant-Mangione was detained in a federal prison where he remains.
 5. The undersigned has been in communication with Assistant United States Attorney Frank Balsamello and the other United States Attorneys prosecuting Defendant-Mangione for the purposes of providing discovery to the United States Government and to ascertain whether Defendant-Mangione would be physically available for court appearances in Blair County during the pendency of his federal prosecution.
 6. On or about February 12, 2025, the undersigned received a letter from the United States Attorney Southern District of New York, which indicated that Defendant-Mangione would not be made physical available to Blair County until the disposition of his federal charges,

- including any sentencing proceedings. The letter also indicates that Defendant-Mangione will be made available via videoconference should he elect to proceed in any or all stages of his Blair County prosecution remotely.
7. The Commonwealth received Defendant-Mangione's praecipe to schedule hearing and demand for personal appearance on or about June 20, 2025 and immediately reached out to the Federal Prosecutor's Office in New York.
 8. On or about June 20, 2025, the undersigned received a letter from the United States Attorney Southern District of New York, which indicated that Defendant-Mangione would not be made physical available to Blair County until the disposition of his federal charges, including any sentencing proceedings. The letter also indicates that Defendant-Mangione will be made available via videoconference should he elect to proceed in any or all stages of his Blair County prosecution remotely.
 9. Subsequent to this correspondence and at the demand of Defendant-Mangione's attorney, who repeatedly has declined to allow Defendant-Mangione to participate remotely, the Commonwealth filed a Petition for Writ of Habeas Corpus Ad Prosequendum with the Court. It is believed that the Writ is still pending signature. Notably, the Commonwealth has been advised that the Writ will ultimately be denied.
 10. The Court has ordered the Commonwealth to provide an additional update on the availability of Defendant-Mangione on or before August 22, 2025 and the same is addressed by this Notice. The position of the United States Attorney's Office regarding the physical unavailability of Defendant-Mangione has made Defendant-Mangione "unavailable" pursuant to Pa.R.Crim.P. 600.

The Commonwealth's detainer and pending Writ of Habeas Corpus Ad Prosequendum reflects its intent to secure Defendant-Mangione once he is physically available for prosecution in Blair County.

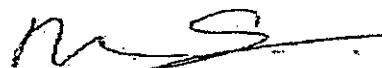
WHEREFORE, the Commonwealth of Pennsylvania respectfully requests this Honorable Court to enter an order acknowledging receipt of the attached correspondence and Defendant-Mangione's unavailability pursuant to Pa.R.Crim.P. 600 unless Defendant-Mangione elects to appear via video conferencing.

Respectfully submitted,



Peter J. Weeks
Blair County District Attorney
Blair County District Attorney's Office
423 Allegheny Street., St. 421
Hollidaysburg, PA 16648
(814) 693-3010

Respectfully submitted,



Nichole M. Smith
First Assistant District Attorney
Blair County District Attorney's Office

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CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Respectfully submitted,



Peter J Weeks
District Attorney

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CERTIFICATE OF SERVICE

I, Peter J Weeks, District Attorney, do hereby certify that I have served on this day a true and correct copy of the foregoing Motion via email to:

Thomas M Dickey, Esquire, Esq.
308 Orchard Avenue
Altoona, PA 16602

Date: August 21, 2025



Peter J Weeks, Esq.
For the Commonwealth