

Supreme Court of the State of New York

Appellate Division, First Judicial Department

Present – Hon. Troy K. Webber,
Peter H. Moulton
Saliann Scarpulla
Manuel J. Mendez
John R. Higgitt,

Justice Presiding,
Justices.

In the Matter of the Application of

SEALED

Motion No. 2024-01822

Donald J. Trump,
Petitioner,

Case No. 2024-02413

For a Judgment Pursuant to Article 78 of the
Civil Practice Law and Rules,

-against-

The Honorable Juan M. Merchan, A.J.S.C.,
and The People of the State of New York by
Alvin L. Bragg, Jr., Manhattan District
Attorney,

Respondents.

An Article 78 proceeding having been commenced in this Court for a writ of prohibition, pursuant to CPLR 7803(2), prohibiting respondent The Honorable Juan M. Merchan, A.J.S.C., based on his having allegedly acted in excess of Supreme Court’s jurisdiction, from (1) refusing to recuse himself from the criminal proceedings in People v Donald J. Trump (Indictment No. 71543/23), (2) restricting petitioner’s ability to file motions in said proceedings and include rulings and submissions in the public record, and (3) ruling that petitioner is foreclosed from relying in said proceedings on the presidential immunity doctrine as an evidentiary objection at trial,

And petitioner having moved for a stay of the criminal proceedings in People v Donald J. Trump (Indictment No. 71543/23), pending the hearing and determination of the foregoing Article 78 proceeding,

Now, upon reading and filing the papers with respect to the motion, and due deliberation having been had thereon,

It is ordered that the motion is denied.

ENTERED: April 30, 2024

A handwritten signature in black ink, appearing to read "Susanna Molina Rojas". The signature is written in a cursive, flowing style.

Susanna Molina Rojas
Clerk of the Court