

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

CR2024-006850-012 DT

07/18/2024

HONORABLE BRUCE R. COHEN

CLERK OF THE COURT
D. MacErnie
Deputy

STATE OF ARIZONA

NICHOLAS KLINGERMAN

v.

RUDOLPH GIULIANI (012)

MARK LEE WILLIAMS

JUDGE BRUCE COHEN

ORDER RE: MODIFICATION OF RELEASE CONDITIONS

On July 12, 2024, counsel for Defendant Giuliani filed his “Motion To Modify Conditions Of Release *Nunc Pro Tunc*.” He seeks therein to modify term 3 (“no contact with any co-defendant”), term 6 (“continue to reside at your present local address”), and term d (“not leave the state of Arizona without permission of the court”).

The Court has reviewed the motion. Good cause for granting the relief is established by the fact that Defendant Giuliani is not a resident of Arizona and that the State does not oppose the granting of the requested relief. Nothing further was required from Defendant to secure the relief sought.

Yet the motion does not end with that. Pages 4-5 of the motion are filled with assertions that are not germane to the issues before the court. Counsel is reminded of certain provisions of the Rules of Professional Responsibility, including ER 8.4(D), which restricts a lawyer from engaging in conduct that is prejudicial to the administration of justice. Consistent with principles of equal protection under the law, Defendant Giuliani is not entitled to greater or lesser consideration of requested relief because of his alleged status or stature. Any suggestion to the contrary goes against all concepts of justice. Going forward, the court expects all parties to limit their filings and arguments to cognizable claims that are supported by relevant facts and law.

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To be clear, this court is granting the relief sought because there is good cause to do so and not because of any of the irrelevant characterizations or purported grounds posed by his counsel on pages 4 and 5 of his motion.

IT IS THEREFORE ORDERED modifying Defendant Giuliani's release conditions as follows:

- Term 3 of the previously issued release conditions (contact with co-defendants) is deleted.
- Term 6 of the previously issued release conditions (reside at present local residence) is clarified or amended to reflect that Defendant Giuliani may reside in Florida or New York.
- Term "d" of the previously issued release conditions (not leaving Arizona without prior court permission) is deleted.