

Supreme Court
of the
State of New York



JUAN M. MERCHAN
JUDGE OF THE COURT OF CLAIMS
SUPREME COURT, CRIMINAL TERM
FIRST JUDICIAL DISTRICT

CHAMBERS
100 CENTRE STREET
NEW YORK, N.Y. 10013

Via Email

August 5, 2024

Emil Bove, Esq.
99 Wall Street
Suite 4460
New York, NY 10005

ADA Joshua Steinglass
New York County District Attorney's Office
One Hogan Place
New York, NY 10013

Re: *People v. Trump*, Ind. No. 71543-2023

Dear Counsel:

As you are aware, Mr. Bove filed a pre-motion letter on July 1, 2024, seeking leave to file a motion to set aside the jury's verdict, pursuant to CPL § 330.30(1) based on the Supreme Court's decision in *Trump v. United States*, 2024 WL 3237603, and requesting until July 10, 2024, to submit a memorandum of law in support of the motion. On July 2, 2024, the People filed a letter requesting a deadline of July 24, 2024, to file a response to Defendant's CPL § 330.30 motion. Both requests were granted, and both sets of papers were filed by the respective due dates. As a result, the July 11, 2024, sentencing date was rescheduled to September 18, 2024, and the matter was put down for decision, off-calendar to September 6, 2024.

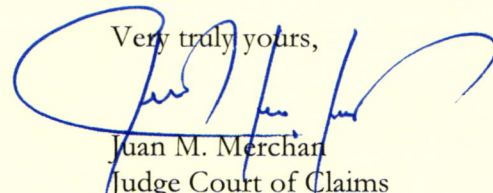
Subsequently, Defendant requested additional time to file a reply to the People's opposition. The request was granted, and the reply brief was filed on July 31, 2024. Notably, the cover e-mail accompanying the 20-page reply, indicated that the transmittal was also accompanied by a pre-motion

letter seeking this Court's recusal due to "changed circumstances." Further, the pre-motion letter asked this Court to resolve the motion for recusal "prior to the resolution of the pending Presidential immunity motion" and that the July 31, 2024, pre-motion letter be treated as his motion. On August 1, 2024, the People responded, by letter, to the Defendant's letter motion and also requested that their August 1, 2024 letter be treated as their full opposition. Defendant has now requested one week to file a reply to the People's response. That request is denied. This Court does not believe such a reply is necessary or helpful at this stage of the proceedings.

As a result of Defendant's two recent filings and his request that the motion for recusal be resolved prior to decision on the CPL § 330.30 motion, the Court hereby changes the upcoming schedule as follows: Decision on the motion for recusal will be handed down off-calendar the week of August 11, 2024, and decision on the CPL § 330.30 motion will be handed down off-calendar on September 16, 2024, if still necessary.

Please note, the court appearance scheduled for September 18, 2024, at 10 A.M. *remains unchanged*. We will proceed on that date and time to the imposition of sentence or other proceedings as appropriate. Please keep these dates in mind if you still wish to file a pre-sentence recommendation.

Very truly yours,



Juan M. Merchan
Judge Court of Claims
Acting Justice Supreme Court

cc: Counsel of record
Assistant District Attorneys of record
Court file