

UNITED STATES COURT OF APPEAL
FOR THE SECOND CIRCUIT

THE PEOPLE OF THE STATE OF NEW YORK,

- against -

DONALD J. TRUMP,

Defendant.

Docket # 23-1085

**NOTICE OF MOTION TO
DISMISS APPEAL**

PLEASE TAKE NOTICE that upon the annexed Declaration of Gedalia M. Stern, dated November 14, 2023, Donald J. Trump, by his counsel Blanche Law PLLC and NechelesLaw LLP, will move this Court, pursuant to F.R.A.P. 42(b)(2), on a date and time to be set by the Court, for an Order dismissing the appeal in this case.

Respectfully submitted,

Dated: November 14, 2023
New York, New York

By: /s/ Gedalia Stern
Gedalia Stern
Susan R. Necheles
NechelesLaw LLP
1120 6th Ave., 4th Floor
New York NY 10036
212-997-7400
gstern@necheleslaw.com

Todd Blanche
Emil Bove
Blanche Law PLLC
99 Wall Street, Suite 4460
New York, NY 10005
212-716-1260
toddblanche@blanchelaw.com

Attorneys for President Donald J. Trump

Dated: November 14, 2023
New York, N.Y.

By: _____/s_____

Gedalia M. Stern
NechelesLaw LLP
1120 6th Ave., 4th Floor
New York, NY 10036
(212) 997-7400
gstern@necheleslaw.com

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 23-1085

Caption [use short title]

Motion for: dismissal

Set forth below precise, complete statement of relief sought:

To dismiss the appeal in this case

PEOPLE OF THE STATE OF NEW YORK

v.

DONALD J. TRUMP

MOVING PARTY: Donald J. Trump

OPPOSING PARTY: People of State of New York

- Plaintiff Defendant Appellant/Petitioner Appellee/Respondent

MOVING ATTORNEY: Gedalia M. Stern

OPPOSING ATTORNEY: Matthew Collangelo

[name of attorney, with firm, address, phone number and e-mail]

NechelesLaw LLP

District Attorney of New York

1120 6th Ave., 4th Floor NY NY 10036

1 Hogan Place NY NY 10013

212-997-7400; GSTERN@NECHELESLAW.COM

colangelom@dany.nyc.gov; 212-335-9000

Court- Judge/ Agency appealed from: Judge Alvin Hellerstein, SDNY

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1): Yes No (explain):

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:

Has this request for relief been made below? Has this relief been previously sought in this court? Yes No Yes No

Requested return date and explanation of emergency:

Opposing counsel's position on motion: Unopposed Opposed Don't Know

Does opposing counsel intend to file a response: Yes No Don't Know

Is the oral argument on motion requested? Yes No (requests for oral argument will not necessarily be granted)

Has the appeal argument date been set? Yes No If yes, enter date:

Signature of Moving Attorney:

[Signature] Date: 11/14/23

Service: Electronic Other [Attach proof of service]