

SUPREME COURT OF THE STATE OF NEW YORK  
COUNTY OF NEW YORK: PART 59

THE PEOPLE OF THE STATE OF NEW YORK

- against -

DONALD J. TRUMP

Defendant.

DECISION ON DEFENDANT'S  
MOTION FOR RECUSAL

Ind. No. 71543-23

HON. JUAN M. MERCHAN A.J.S.C.:

On May 31, 2023, Defendant filed a notice of motion seeking this Court's recusal. In the motion, Defendant argued, among other things, that "the political and financial interest" of a family member of this Court "creates an actual or perceived conflict of interest because rulings and decisions" made by this Court "may result in a financial benefit" to the Court's family member. Defendant's 5/31/23 Memorandum at pg 1. Before Defendant filed his motion, this Court had already written to the Advisory Committee on Judicial Ethics to seek a formal opinion regarding the issues later raised in Defendant's motion of May 31, 2023. In response to the Court's inquiry, the Advisory Committee opined on May 4, 2023, that "[a] judge's relatives remain free to engage in their own bona fide independent political activities (see e.g. Opinions 15-62; 98-22)" and that "[t]he matter currently before the judge does not involve either the judge's relative or the relative's business, whether directly or indirectly." Opinion 23-54 at pg. 3. By Decision dated August 11, 2023, this Court denied Defendant's motion. A copy of the Advisory Committee's opinion was provided with the Court's Decision.

On April 3, 2024, the Defendant filed a second motion seeking this Court's recusal. Raising no new facts or law, the Defendant again premised his motion for recusal on the unsubstantiated claims that a family member of this Court stood to gain financially from this Court's rulings. Defendant's 4/3/24 Memorandum at pgs. 19-20. This second motion for recusal was denied from the bench on April 15, 2024.

On May 30, 2024, a New York County jury returned a unanimous verdict finding Defendant guilty on all 34 counts in the indictment. This Court set a deadline of June 13, 2024, for the filing of post-verdict motions. Defendant did not file any motions by that deadline. On July 31, 2024,