

UNITED STATES DISTRICT COURT

DISTRICT OF CONNECTICUT

UNITED STATES OF AMERICA	:	Case No. 3:18-cr-095 (SRU)
	:	
v.	:	
	:	
YEHUDI MANZANO	:	October 29, 2018

**GOVERNMENT’S EMERGENCY MOTION
SEEKING A TWO-WEEK STAY OF TRIAL**

The Government respectfully submits this motion seeking a two-week stay of trial to allow the Government to seek approval from the Office of the Solicitor General (“OSG”) of the U.S. Department of Justice to file a petition for a writ of mandamus with the Second Circuit Court of Appeals regarding certain rulings the Court issued this morning. More specifically, the Government is seeking permission from the OSG to file a petition for a writ of mandamus regarding the Court’s decision to allow counsel for Mr. Manzano to elicit evidence during trial regarding the sentencing consequences and mandatory minimum penalties that apply in this case. In addition, to the extent the Court’s rulings allow Mr. Manzano to make argument and elicit evidence that invites jury nullification, the Government seeks mandamus to have the Court preclude such argument and evidence. Finally, the Government may seek mandamus to have the Court instruct the jurors that they have a duty to convict if it finds the Government has proven Mr. Manzano’s guilty beyond a reasonable doubt, regardless of the sentencing consequences. The Government is in the process of obtaining the transcript from this morning’s proceedings in order to seek the appropriate approval.

Counsel for the Government has conferred with counsel for Mr. Manzano, who indicated he takes no position on this motion. The Government understands that this will necessitate another

jury selection, but in light of the significant issues involved, the Government believes a stay is necessary.

CONCLUSION

For the forgoing reasons, the Government respectfully requests that the Court grant a two-week stay of trial.

Respectfully submitted,

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/s/ Neeraj N. Patel

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CERTIFICATE OF SERVICE

I hereby certify that on October 29, 2018, a copy of the foregoing document was filed electronically and served by mail on anyone unable to accept electronic filing. Notice of this filing will be sent by e-mail to all parties by operation of the Court's electronic filing system or by mail to anyone unable to accept electronic filing as indicated on the Notice of Electronic Filing. Parties may access this filing through the Court's CM/ECF System.

/s/ Neeraj N. Patel

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