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From	Peter T. Santilli
Subject	EMERGENCY MOTION TO STAY PROCEEDINGS
Message	In Re: New York State v. President Donald J. Trump, please see attached Letter Motion to Intervene & Stay Proceedings. PLEASE ALSO RESPOND NO LATER THAN TUESDAY APRIL 4, 2023 at 12pm NOON.

Recipients

Recipient	Status	Completed On	Sent Pages	Reason
+1 (212) 295-4932 Hon Judge Juan Merchan	Success	4/2/23, 9:12 PM	5	

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04/02/23

Hon. Judge Juan Merchan

Court Attorney: James Bergamo, Esq.

Courtroom: Part 59

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Re: Indictment of President Donald J. Trump By The State of New York

***EMERGENCY MOTION TO INTERVENE, MOTION TO STAY PROCEEDINGS
PENDING OUTCOME OF THE NOVEMBER 2024 ELECTION, OR IN THE
ALTERNATIVE, MANDATE AN IMMEDIATE ELECTION AND STAY OF
PROCEEDINGS PENDING OUTCOME OF THE IMMEDIATE ELECTION.***

Dear Judge Merchan,

I'm writing to you as a concerned voting citizen of the United States of America whose right to vote for President of the United States is protected by the U.S. Constitution. In November of 2024, I will vote to re-elect the 45th President of the United States, President Donald J. Trump, as the 47th President of the United States.

In light of the Manhattan District Attorney's recent public announcement that a New York Grand Jury has voted to indict President Trump; who is also a candidate for President in the 2024 election; I believe that my vote is intentionally being suppressed and possibly denied in advance of the 2024 election. Although I respect the rule of law and due process of law, I do not believe that anyone in the State of New York has superior authority over my voting rights as set forth in the Declaration of Independence and the U.S. Constitution.

Regardless of how many attempts have been made to interpret or qualify

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specific voting rights by analyzing the intent of our founders when drafting the U.S. Constitution, the words written by our founders in the Declaration of Independence leave no room for misinterpretation. Thomas Jefferson was unequivocal, and the thirteen colonies unanimously declared:

We hold these truths to be self-evident, that all men are created equal, that they are endowed by their Creator with certain unalienable Rights, that among these are Life, Liberty and the pursuit of Happiness.--That to secure these rights, Governments are instituted among Men, deriving their just powers from the consent of the governed,

Judge Merchan, the laws established when we were founded held these truths to be self-evident, and to secure my unalienable rights, I consent to who will run my Government --- by voting. There should be no misinterpretation of what our founders intended, nor do I require a constitutional legal scholar to understand what our founders intended. No government or judicial bureaucracy has ever been given the authority to abridge the method of securing my unalienable rights – voting.

I hereby respectfully request that the court issues an immediate stay on these legal proceedings relating to President Donald J. Trump until after the election in November 2024. Failure to stay this legal action against President Trump will cause immediate, adverse and irreparable harm to my right to elect government officials who I believe will secure my unalienable rights.

Regardless of the evidence presented to the grand jury, there is no circumstance, or any set of circumstances that will change by intention to cast my vote for President Donald J. Trump any time between now and election day in November 2024. Even if President Trump is arrested, tried and convicted of any alleged crimes in the State of New York, I am an Ohio resident and New York State has no jurisdiction or authority to prevent me from voting for President Donald J. Trump, or intentionally and negatively influencing my fellow or potential American voters for, or against, any candidate I so choose.

Although this case before you in the matter regarding President Donald J. Trump has no precedence, the law, and declarations by which our laws were derived is unequivocal, and our founders left no room for misinterpretation. We have

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unalienable rights. We secure these rights by voting, and thereby consenting to who will govern us. These truths are self-evident, and no further discussion or debate is necessary. To deny these truths is to exercise power without consent of the governed.

In the alternative to staying this proceeding pending the outcome of the November 2024 election, I respectfully move the court to issue a ruling mandating an immediate election, so as not to interfere in any manner with my right to vote for President Donald J. Trump while still preserving due process of law and justice. Additionally, I am requesting that the court supplement this alternative ruling by prohibiting any New York judicial or government authority, under color of law, from willfully depriving me of my rights or privileges protected by the U.S. Constitution in violation of 18 USC Code § 242.

Judge Merchan, your immediate and urgent consideration in this matter is vital. Our nation is now in a Constitutional emergency, and the potential for heightened emotional response by the American voter to the delayed indictment of President Trump increases with every public pronouncement by the Manhattan District Attorney.

You have the power, discretion and lawful duty to intervene in this matter, and you especially have an obligation to inform anyone who proceeds with depriving the rights of any and all American citizens under color of law of the penalties prescribed in 18 USC Code § 242:

....if bodily injury results from the acts committed in violation of this section or if such acts include the use, attempted use, or threatened use of a dangerous weapon, explosives, or fire, shall be fined under this title or imprisoned not more than ten years, or both; and if death results from the acts committed in violation of this section or if such acts include kidnapping or an attempt to kidnap, aggravated sexual abuse, or an attempt to commit aggravated sexual abuse, or an attempt to kill, **shall be fined under this title, or imprisoned for any term of years or for life, or both, or may be sentenced to death.**

I am further moving the court to issue a ruling establishing that regardless of the allegations and outcome of the indictment, that to protect the rights of all voters, the Defendant President Donald J. Trump shall first and foremost be established as a candidate for President of the United States. That to allow this case to proceed in any manner which would interfere with my individual right to vote for President Trump

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between now and November 2024, or to interfere with the right of the entire voter base through negative and/or prejudicial publicity, thereby canceling my individual vote, would be deliberate, intentional and in direct violation of USC Code § 242. There is no reason to proceed expeditiously, as the alleged crimes have exceeded the statute of limitations.

The mere timing for prosecution of the crimes alleged against President Donald J. Trump anytime between now and November 2024 will cause irreparable harm, as well as a direct, adverse effect on securing my constitutionally protected right to vote, and therefore a stay, or in the alternative, mandating an immediate election is the only remedy.

Respectfully Submitted,



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