LAW OFFICES OF
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August 4th, 2026

Honorable Nusrat J. Choudhury
United States District Judge
United States District Court
Eastern District of New York
100 Federal Plaza
Central Islip, New York 11722

Re: United States v. Carmine G. Agnello, 24-CR-366 (NJC)

I am writing to apprise the court of additional information we received from Dr Steve W Ruckerof Catholic Health's Nephrology and Internal Medicine department to provide a further update on the status of kidney transplantation procedure.

As the Court and the People are aware, Ms. Gotti is currently being treated for infection(s). Her medical team is treating her condition before determining when she can safely proceed with the transplant.

Attached for the Court's consideration is a note from Dr. Rucker confirming that Ms. Gotti's infection is currently being treated and that the medical team will "proceed accordingly."

It is undisputed that Carmine is a great match for Ms. Gotti (see prior medical records submitted to this Court). His ability to serve as her donor is imperative to the transplant team's determination on a surgery date.

Further, if Carmine is required to surrender later today (Monday, August 10) he will essentially be disqualified as an option to serve as his mother's living donor at the very time that his mother's medical team is working to determine when she can safely proceed with transplant.

We are not asking the Court to give Carmine additional time beyond September 18. We are not asking that he be excused from surrendering. We are simply asking that he be permitted to remain available until the surrender date that is already in place.

If Ms. Gotti is cleared for transplant before September 18, Carmine will be available to undergo the additional pre-op testing, evaluation, preparation, or other requirements the transplant team determines are necessary. If, for medical reasons, the transplant cannot proceed before September 18, Carmine will surrender as ordered on that date.

The timing here is particularly important because neither Carmine nor his mother can control when she will be medically cleared for transplant. Her current infection(s) have already delayed the process. Both Ms. Gotti and Mr. Agnello's doctors are collaboratively working on a new date to

"proceed accordingly" once her infection is cleared, *which we hope to be cleared in the next week or two*.

Carmine understands his obligation to surrender on September 18 and is not seeking to avoid that obligation. He is simply asking the Court to allow him to remain available to his mother during this very limited period while her doctors determine whether and when she can proceed with transplant.

This is an unusual and deeply personal circumstance. Carmine is not asking the Court to interfere with his sentence or to provide him with special treatment.

In these circumstances, we respectfully ask that the Court schedule September 18, 2026 as Mr. Agnello's surrender date and allow him to remain available as his mother's living donor until that time.

Thank you for the Court's time and consideration.

Respectfully submitted,

/s/ Robert Beltrani

ROBERT BELTRANI & ASSOCIATES, P.C.

By: /s/ Robert V Beltrani
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Attorney for Defendant Carmine G. Agnello
For the Limited Purpose Set Forth Herein

cc: Counsel for the Government (via ECF)

Letter by Rucker, Steve W., MD on 8/7/2026

Steven Rucker, MD
Jim Hilepo, MD
Anthony Ardito, MD
Sharanjit Kaur DO
Tejas Patel, MD
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Catholic Health
Physician Partners

August 7, 2026

To Whom It May Concern:

Victoria Gotti, DOB 11/9/1962 is a patient of mine for whom a renal transplant was tentatively scheduled for the near future. She has had recurrent infections necessitating the cancellation of any potential transplant. A workup is being performed to identify the etiology and the proper treatment for these infections.
A renal transplant cannot be performed until her infections are fully treated and and there is minimal risk they will recur. We are treating it now and will proceed accordingly.

Sincerely,

Steve W. Rucker, MD

Electronically signed by: *Steve W. Rucker, MD on 8/7/2026*

RE: Victoria Gotti

Communication Routing Information

Recipient	Relationship	Method	Details
Victoria Gotti	Patient	Catholic Health MyChart	