U.S. Department of Justice

United States Attorney
Eastern District of New York

JLG:CPK
F. #2022R00347

610 Federal Plaza
Central Islip, New York 11722

August 10, 2026

By ECF
Honorable Nusrat J. Choudhury
United States District Court Judge
United States District Court
Eastern District of New York
1040 Federal Plaza
Central Islip, New York 11722

Re: United States v. Carmine G. Agnello
Criminal Docket No. 24-366(S-1) (NJC)

Dear Judge Choudhury:

The government respectfully submits this letter in response to the defendant's August 10, 2026 letter seeking, in contrast to this Court's Order of August 6, 2026, to adjourn defendant's surrender date to September 18, 2026 without any surgery *even scheduled*. In fact, the medical report attached to defendant's letter and filed on ECF states that the recipient "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." Clearly, the transplant surgery is not imminent. The government opposes this request and asks that the Court not alter its standing Order of August 6, 2026 in this case.

Respectfully submitted,

JOSEPH NOCELLA JR.
United States Attorney

By: */s/ Charles P. Kelly*
Charles P. Kelly
Assistant U.S. Attorney
(631) 715-7866

cc: Defense Counsel (via ECF)