

(Intro music)

Josh Russell: Welcome to Sidebar, a podcast from Courthouse News. I'm Josh Russell, reporting from New York City. In early December 2024, we covered the early morning killing of UnitedHealthcare CEO Brian Thompson outside of a Midtown Manhattan hotel, which turned into a citywide manhunt for the shooter, who apparently had disappeared off into Central Park after fleeing the scene of the killing on a Citi Bike. I recently spoke with my New York courts colleague, Erik Uebelacker, who has followed every incremental development in the case since then about Thompson's murder and how the events that unfolded on December 4, 2024, and subsequently have made suspect Luigi Mangione a household name.

Erik Uebelacker: My name is Erik Uebelacker, and I'm a New York City courts reporter for Courthouse News. I cover big trials that happen in New York City, anything from the Donald Trump criminal and civil trials to the Luigi Mangione murder case. The victim in this murder case is Brian Thompson, who was the UnitedHealthcare CEO. UnitedHealthcare is the largest insurer in the United States. So, Thompson was in Midtown Manhattan, where there was an investor conference for UnitedHealthcare in December 2024. Before there was even a suspect, it was kind of something that took the world by storm a little bit, just because of who the victim was.

Lester Holt: Surveillance video capturing the moment Brian Thompson was approached from behind by the shooter. His outstretched arms leveling a handgun at the victim's back. Police say Thompson was shot at least twice. The Minnesota man was pronounced dead at the hospital; the suspect taking off on an e-bike and remains at large.

EU: Seeing in black and white the shooting of, you know, an executive for, as we said, the biggest health insurer in the United States, that's a high-profile killing. This is a wealthy man in charge of a very large company. Obviously, health care in the United States is, has always been, a controversial topic. We're one of the few developed countries in the world that does not have universal health care. That is something that's been debated between the left and the right for longer than I've been alive, for sure. So, yeah, I mean, there were immediately before we even knew who the suspect was, what any possible motives were, some political undertones that really rippled and made it a staple in the news cycle.

News clips: So, sources say that a male suspect, a man who was masked and according to witnesses who spoke to the Post, had been spotted milling around the area for several minutes before the shooting ... Just moments ago, police gave an update on the shooting and they say that Thompson was specifically targeted ... Even for New York City this is a brazen murder that happened in broad daylight just before 7 o'clock this morning...

EU: I believe it was after a five-day manhunt they located who we now know is the suspect, Luigi Mangione, in Altoona, Pennsylvania, a small town in Pennsylvania just outside of Pittsburgh, obviously good, good deal away from Manhattan, where the shooting occurred. He was caught inside a McDonald's in Altoona, Pennsylvania, in the morning eating breakfast. There was definitely a hash brown involved.

JR: Mangione was ultimately arrested five days after the shooting at a McDonald's in Altoona, Pennsylvania, 300 miles west of New York City, after he was reportedly recognized by employees who had seen media coverage of Thompson's killing. Local police there recovered a 9 mm gun from his backpack during the course of his arrest, as well as bullets, a silencer, a fake New Jersey driver's license in the name of Mark Rosario, cash, a passport and a notebook with alleged journal entries. Video footage of the Altoona arrest was recorded on multiple officers' body cameras, which have been played repeatedly in pretrial court hearings in New York.

EU: You can see the officers approach Mangione. Mangione hands them an ID that they later determine is fake. It said Mark Rosario. That's not him. And then, you know, it kind of escalates from there. One of the cops recognizes Mangione's face. They say that he looks exactly like the guy that they're looking for in New York City for Thompson's murder, he calls for backup. All of a sudden, the McDonald's is swarming with cops.

They start asking him why he's here. He's kind of being evasive. Eventually, they take him in for the fake ID, and in his backpack, they wind up finding a journal talking about his disdain for for-profit health care. They find a gun, they find a silencer and a couple other things that tied him to seemingly the murder in New York City. In Pennsylvania, they obviously didn't have the facilities to charge them with murder that wasn't in their jurisdiction, so they arrested him for the fake ID. I believe he's charged still in Pennsylvania for gun charges, but then pretty much immediately, as soon as the NYPD and federal prosecutors got involved, he would wind up being extradited from Pennsylvania to New York in what was also a very visible and wide-spreading video. Then-Mayor Eric Adams, flanked by law enforcement, escorted Luigi off a helipad in New York City. And that was an image that, again, was shared pretty widely.

JR: Ten days after he was apprehended in Altoona, federal prosecutors in New York City unsealed a four-count criminal complaint against Mangione, initially charging him with one count of using a firearm to commit murder, which carried a maximum sentence of the death penalty. He was additionally charged in federal court with one count of interstate stalking resulting in death, one count of stalking through use of interstate facilities resulting in death and one count of discharging a firearm that was equipped with a silencer in furtherance of a crime of violence, all of which carry a maximum potential sentence of life in prison, the latter of which includes a mandatory minimum sentence of 30 years. I asked Erik what he recalled from the first time he saw Luigi Mangione in person at his presentment in Manhattan Federal Court in December 2024.

EU: This is going to sound corny to say now with everything that we know, but I don't know, there was kind of an energy in the room where it seemed like this was going to be a case that a lot of people cared about, and a defendant in particular that a lot of people cared about. I could really only compare it to the first time that we saw Trump come into his criminal trial in state court down the street. When they brought him in from the back of the courtroom for the first time in federal court, and he was he was shackled and he was wearing the prison suit and everything. I don't know, it was just a presentment unlike anything I've really seen before. Once we got a visual of the suspect, we realized he's not like a lot of other criminal defendants. He's, you know, an affluent, young, good-looking man, initially from Maryland, Ivy League educated, well-spoken, seemingly, in a lot of his written and oral communications that we've heard in the past. And that kind of just kicked it up to a new level where people were supporting him, either because they like what he stands for, they support the crime, or they're just so enamored by this case and want to see him get a fair trial.

JR: During our conversation, I asked Erik if he believed there was a generational aspect to this robust interest in the Mangione case.

EU: I do think that there is kind of a generational aspect to this. I mean, look at who supports Bernie Sanders and his whole shtick is health care. You know, young people are very concerned about being able to pay for health care. Young people, I think, understand kind of the anger around health care.

Crowd chants: Health care is a human right. Free Luigi. Free, free Luigi.

EU: Maybe a little bit more than some of the older people that are following this case. That's not to say that, you know, it's completely that black and white. I mean, he's become, for better or worse, somewhat of a progressive icon. Obviously, younger people skew progressive. I think a lot of people that follow the case super closely or are involved with his defense and his right to a fair trial and everything, they would kind of push back on that, but I mean, there is absolutely a political angle to this, and that's always going to bring out a generational divide, too.

Audio clip: Gen Z supporting this man and like idolizing him is so horrible and crazy to me because he literally shot somebody is what all the older generations are saying. But you guys need to realize that we grew up watching little kids being shot at for no reason. We grew up watching mass murders happen in elementary school and nothing being done about it.

JR: Luigi Mangione's cases in both state and federal court have drawn attention from an assorted coalition of supporters, including most notably critics of the American health care system, which they see as prioritizing corporate profits over delivering actual care, alongside opponents of the death penalty, anti-capitalist anarchist types who see the killing as a form of direct action, members of the chronic Lyme disease community who stand in solidarity with Mangione's experiences with chronic pain, court watchers who want to ensure the high-profile cases get the fair trial they're due, as well as some folks who just seem plain enamored with this particular younger Italian American defendant, or with following his true crime case play out in real time.

EU: A lot of people think that he's being framed or unfairly accused, and even if people, a lot of his supporters suspect that he did it, a lot of them are worried that he's not going to get a fair trial because of who the victim was in this case. So, there's a lot of arms of advocacy already. He's being charged for not exactly the same crime because of the specific charges that he's being charged with in state and federal court, but the same criminal act, they tend to believe that it's double jeopardy. Luigi's legal team obviously thinks that as well. There was a strategic reason why they wanted initially the federal case to go first, which, of course, it doesn't look like that's going to happen now. And that's because, to my understanding, if the federal case goes first, then the state case would be dropped, or at least they would have a case to make for those charges to be dropped in state court because of double jeopardy. Luigi and his defense has been very clear that they think that the effectively dueling murder prosecutions in state and federal court in New York violates that theory. I'm sure we haven't heard the last of those arguments. Luigi himself has said as much at his last court appearance in New York, when the judge in the state case set a trial date for June, much earlier than the defense was hoping for. He turned around to the crowd and yelled something to the effect of it's the same trial twice. One plus one is two double jeopardy by any common sense definition. It was a voice that we hadn't heard before because it's been the same five or six lawyers and the judge. And then we heard a new voice and we had to look up and we were like, oh my God, that was him. There's kind of a section of Luigi supporters who believe that he is probably the one who committed the crime, but either support him or don't want to see him go to jail for it because of how unfair and unjust the for-profit health care industry is in the United States. So, they are advocating for what's called jury nullification, where a jury can basically acquit a defendant, not because the evidence didn't prove that they're guilty, but because they disagree with the fairness of the laws or the charges that that he's being tried on. So, there are a subsection of Luigi Mangione supporters who are I mean, they're putting up flyers, they're educating people online about what jury nullification is, you know, in the event that someone who maybe consumes that does get selected for one of the juries, but it's kind of at odds with what a lot of the other Luigi Mangione supporters are advocating for, because there are another group of people who, again, may or may not believe that he's the one that committed the crime, but their sole focus is ensuring that this defendant gets a fair trial because they think that, as it stands, he is not. And they're concerned that some of the people who are advocating for jury nullification, you know, that might imply guilt that in their eyes is not there. Those first couple court appearances for Luigi were pretty wild with the just the amount of people out there and the kind of the effort and thought that a lot of them put into their activism, showing up to the courthouse and, you know, with the signs and the props that they do. I mean, there's a small group that commissions billboard trucks, like those big LED trucks to roll through and talk about how screwed up they think the for-profit health care system is, you know, sharing people's stories that have been wronged by UnitedHealthcare and other insurers, you know, sharing information about jury nullification and things like that. So, it's kind of a tightrope walk for some of the supporters who, you know, might look at the, the health care side of things and be like, OK, like I understand the anger, but also we need to make sure this guy has a fair trial, innocent until proven guilty. And the jury nullification thing, kind of, it's a difficult tightrope to walk.

(Chants of 'Free Luigi')

JR: While some of Luigi's supporters are hitting the streets to bring jury nullification to the spotlight, his defense lawyers are focused on due process.

EU: So far, most of the defense that we've seen from them is that law enforcement has made some missteps along the way that's interfered with his due process. They said that they never should have searched his bag

in the Altoona McDonald's, that they did that too early. And of course, if they didn't search the bag, they wouldn't have found the pistol, the silencer, the bullets and what prosecutors are calling a manifesto, a handwritten journal that describes some of Luigi's thoughts over the past couple of months, and that was also the subject of later oral arguments in federal court. But so far, both the federal and state judges have disagreed with the defense in that they're letting all that evidence in. They're saying that, you know, any violations of, any possible violations of due process are basically outweighed by how damning the evidence is and how important the evidence is in this case. We've kind of made a lot of the fact that the evidence from his backpack, like the gun and the silencer and the bullets and the journal, have been deemed admissible, at least in the federal case. But, I mean, they were two massive wins when he got the first-degree murder terrorism charges dropped last year in the state case. And then when he got the death penalty dropped in the federal case. I don't know, it kind of speaks to what a lot of the supporters were concerned about was the fact that they believed he was being overcharged in both cases. Evidently, the judges, in one way or another, agreed in both cases that he was overcharged. So, yeah, his legal team, they still have an uphill battle with a lot of the evidence that's come out and the PR surrounding this case. But they've, they've gotten some wins in court too in the past year. He's got to recognize that there's a certain amount of court of public opinion that that kind of matters here. I mean if this jury nullification idea takes off that's great for him. If people think he looks cool in the media, that's obviously great for him. I don't know, it's kind of a double-edged sword because it's you have a lot of people that are saying like, oh yeah, he looks cool in this picture. He looks cool in these court drawings. But then you have his defense team who's like, yeah, but he's everywhere. And he's constantly being associated with this crime that we're saying he did not commit. And we kind of touched on it in the beginning with this initial appearance, but for lack of a better word, there's like an aura around him and around this case, I mean, like he's a he's a good looking young man who's on trial for murder. There have been an absolute ton of photo ops, much more than your average defendant, which is, you know, his defense team is kind of used when talking about the fact that he's not like every other, he's not being treated like every other defendant.

JR: Luigi has been detained for nearly a year and a half at a federal jail in Sunset Park, Brooklyn. He faces a potential maximum sentence of 25 years to life if found guilty at the state trial on second-degree murder and weapons charges.

EU: The judges in both cases have been pretty steadfast on treating these as individual cases, as if the other one doesn't exist. The judge in the state case even went as far as to say, you know, if you're worried about being stretched thin, hire more lawyers, get a different legal team to represent you in both cases. And he's resisted that thus far, the defense and Luigi has.

JR: Many, many thanks to Erik Uebelacker for taking the time to chop it up on Sidebar about Luigi Mangione in his upcoming trials. As of the recording of this episode, Mangione's first trial in New York state court is currently scheduled to now commence in September 2026, pushed back from an earlier start date in June. His second trial, down the street in Manhattan federal court, meanwhile, has been delayed to tentatively start in November, but could potentially be delayed even further into the following year. All of this, of course, is subject to change as Mangione's defense continues to push to delay the trial in state court currently set to commence first. For all Luigi Mangione updates, follow Erik's ongoing coverage for Courthouse News Service and on the site formerly known as Twitter. Hopefully, we can get Erik back for part two later this year when the first case goes to trial. Next time on Sidebar: Have you ever wondered why trials are so ... combative? Why they feel like less of a calm, rational search for truth and justice, and more like some weird role-playing game where only one guy knows the rules and he's sort of making it up as he goes along? Have you ever wondered what if there was a different way? Well, it turns out that trials in other countries are way different than ours. And some of them, they even wear old-timey judicial wigs. Our own Hillel Aron takes us on a journey around the world to different court systems, asking, is this really the best we can do? See you then.

(Outro music)