



Written by [D. Michael DeRidder](#) on November 22, 2024

Merchan Orders Stay of Trump Sentencing

New York Supreme Court Justice Juan Merchan granted the joint application for a stay of President-elect Donald Trump's sentencing that was [scheduled for next week](#) in the Manhattan "hush money" trial, delaying sentencing indefinitely as he did not schedule a new sentencing date.

Merchan included in the order a December 2 deadline for Trump's attorneys to file motions to dismiss the case, and a December 9 deadline for prosecutors to respond. The [order reads](#):



AP Images

On November 19, 2024, this Court received separate submissions from Defendant and the District Attorney of New York County ("DANY" or the "PEOPLE"), seeking various forms of relief in connection with the above-captioned matter. The respective applications are decided as follows:

IT IS HEREBY ORDERED, that Defendant's request for leave to file a motion to dismiss pursuant to Criminal Procedure Law ("CPL") § 210.40 is GRANTED; and it is further

ORDERED that the joint request for a motion schedule is GRANTED. Defendant's motion is due by the close of business Monday, December 2, 2024. The People's response is due by the close of business Monday, December 9, 2024. The Court will not accept reply briefs; and it is further

ORDERED that the application to stay decision on Defendant's CPL § 330.30(1) motion is GRANTED pending receipt of the papers from all parties submitted in accordance with the motion schedule noted above; and it is further



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ORDERED that the joint application for a stay of sentencing is GRANTED to the extent that the November 26, 2024, date is adjourned.

The above constitutes the Decision and Order of the Court.

Trump Communications Director Steven Cheung released a [statement](#) in response to the order, saying in a Trump-Vance transition press release:

In a decisive win for President Trump, the hoax Manhattan Case is now fully stayed and sentencing is adjourned. President Trump won a landslide victory as the American People have issued a mandate to return him to office and dispose of all remnants of the Witch Hunt cases. All of the sham lawfare attacks against President Trump are now destroyed and we are focused on Making America Great Again.

Donald Trump Jr. celebrated Merchan's decision to cancel next week's sentencing hearing, [stating in a post on X](#):

YUGE win in Manhattan DA case Sentencing cancelled, the judge also apparently asked to file papers to dismiss case. Another one bites the dust!!! LFG□□□□□□

Former New Jersey Superior Court Judge Andrew Napolitano noted that in the state of New York, Trump is presumed innocent. He said that Trump "is not convicted under New York state law until he's sentenced," [stating on NEWSMAX](#):

<https://twitter.com/NEWSMAX/status/1860004033815044226>



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