

UNITED STATES COURT OF APPEALS FOR THE SECOND CIRCUIT

Thurgood Marshall U.S. Courthouse 40 Foley Square, New York, NY 10007 Telephone: 212-857-8500

MOTION INFORMATION STATEMENT

Docket Number(s): 24-2606

Caption [use short title] _____

Motion for: to dismiss the appeal

Set forth below precise, complete statement of relief sought:

United States of America v. Combs

Pursuant to Federal Rule of Appellate Procedure 42(b)(2)

and Local Rule 42.2, Appellant Sean Combs moves

to voluntarily dismiss this appeal.

MOVING PARTY: Sean CombsOPPOSING PARTY: United States of America☐ Plaintiff☒ Defendant☒ Appellant/Petitioner☐ Appellee/RespondentMOVING ATTORNEY: Alexandra A.E. ShapiroOPPOSING ATTORNEY: Mary Christine Slavik

[name of attorney, with firm, address, phone number and e-mail]

Shapiro Arato Bach LLPUnited States Attorney's Office, SDNY1140 6th Ave, 17th Fl., New York, NY 1003626 Federal Plaza, New York, NY 10278(212) 257-4880; ashapiro@shapiroarato.com(212) 637-1113; mary.slavik@usdoj.govCourt- Judge/ Agency appealed from: Hon. Andrew L. Carter / U.S. District Court for the Southern District of New York

Please check appropriate boxes:

Has movant notified opposing counsel (required by Local Rule 27.1):

☒ Yes☐ No (explain): _____

FOR EMERGENCY MOTIONS, MOTIONS FOR STAYS AND INJUNCTIONS PENDING APPEAL:

Has this request for relief been made below?

☐ Yes☐ No

Has this relief been previously sought in this court?

☐ Yes☐ No

Requested return date and explanation of emergency: _____

Opposing counsel's position on motion:

☒ Unopposed☐ Opposed☐ Don't Know

Does opposing counsel intend to file a response:

☐ Yes☒ No☐ Don't Know

Is the oral argument on motion requested?

☐ Yes☒ No (requests for oral argument will not necessarily be granted)

Has the appeal argument date been set?

☐ Yes☒ No If yes, enter date: _____

Signature of Moving Attorney:

/s/ Alexandra A.E. ShapiroDate: December 13, 2024Service: ☒ Electronic ☐ Other [Attach proof of service]

UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee,

v.

SEAN COMBS,

Defendant-Appellant.

No. 24-2606-cr

MOTION TO DISMISS THE APPEAL

1. Pursuant to Federal Rule of Appellate Procedure 42(b)(2) and Local Rule 42.2, Appellant Sean Combs moves to voluntarily dismiss the appeal.

2. This is an appeal from the district court's September 18, 2024 order denying pretrial release on conditions and ordering Mr. Combs detained pending trial. Mr. Combs filed his notice of appeal on September 30, 2024, and filed a motion for bail in this Court on October 8, 2024.

3. On October 17, 2024, Mr. Combs filed a motion to hold the appeal in abeyance pending a renewed motion for bail before the district court. This Court granted the abeyance motion on October 24, 2024.

4. On November 8, 2024, Mr. Combs filed his renewed motion for bail before the district court. On November 27, 2024, the district court denied Mr. Combs' renewed motion.

5. Mr. Combs does not seek to appeal the district court's denial of his renewed motion and hereby moves to voluntarily dismiss the appeal.

6. Counsel has explained the effect of voluntary dismissal of the appeal, and Mr. Combs' signed Local Rule 42.2 statement is attached hereto.

Dated: New York, NY
December 13, 2024

/s/ Alexandra A.E. Shapiro
Alexandra A.E. Shapiro
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UNITED STATES COURT OF APPEALS
FOR THE SECOND CIRCUIT

UNITED STATES OF AMERICA,

Appellee,

v.

SEAN COMBS,

Defendant-Appellant.

STATEMENT PURSUANT TO
LOCAL RULE 42.2

No. 24-2606-cr

Pursuant to Local Rule 42.2 and in support of Appellant Sean Combs' motion to voluntarily dismiss the appeal, Mr. Combs hereby states that (a) counsel has explained the effect of voluntary dismissal of the appeal; (b) he understands counsel's explanation, and (c) he desires to withdraw and voluntarily dismiss the appeal.

Dated: New York, NY
December 13, 2024


SEAN COMBS