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September 29, 2026

By ECF

Hon. Analisa Torres
United States District Court
Southern District of New York
500 Pearl Street
New York, New York 10007

Re: *United States v. Alimehmeti*, 25 Cr. 120 (AT)

Hon. Torres:

Pursuant to Rule 12(d) of the Federal Rules of Criminal Procedure, Mr. Alimehmeti asks this Court to dismiss Count 2 of the indictment against him. Absent good cause, Rule 12(d) requires the Court to rule on any pending pretrial motion before this Court.

A pending motion is not "moot" simply because the government has declared its choice not to proceed to trial on that count. To the contrary, Mr. Alimehmeti's motion remains a live motion until either the government dismisses Count 2 or the Court rules on the motion.

Because Mr. Alimehmeti intends to proceed to trial by indictment, and because of the facts stated above, as well as those set forth in his unopposed motion to dismiss, this Court should grant his motion and dismiss Count 2.[1]

Respectfully submitted,

/s/ Sabrina P. Shroff & Megan Benett
Counsel for Mr. Alimehmeti

Given that the Government does not oppose Defendant's motion to dismiss Count 2 of the Indictment, *see* ECF No. 62, the Court GRANTS Defendant's motion and DISMISSES Count 2.

SO ORDERED.

Dated: October 5, 2026
New York, New York

ANALISA TORRES
United States District Judge

[1] The Court's September 29, 2026 order incorrectly describes the motion as one for early termination. Regardless, we ask the Court to rule on Mr. Alimehmeti's motion to dismiss Count 2.