IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA	:	
	:	
v.	:	NO. CR-2421-2011
	:	NO. CR-2422-2011
GERALD A. SANDUSKY	:	

COMMONWEALTH OF PENNSYLVANIA'S RESPONSE TO LIST OF SPECIFIC DISCOVERY REQUESTS

TO THE HONORABLE JOHN M. CLELAND, SENIOR JUDGE SPECIALLY PRESIDING:

NOW COMES the Commonwealth of Pennsylvania, by and through its attorneys, who submits this response to list of specific discovery requests, and, in support thereof, avers as follows:

I. INTRODUCTION

Gerald A. Sandusky ("Sandusky") convicted of the sexual abuse of 10 pre-teen and teenaged boys filed a petition for relief pursuant to the Pennsylvania Post-Conviction Relief Act ("PCRA"), 42 Pa.C.S. § 9541 *et seq.*, wherein he seeks a new trial.[1] In total, he submitted 15 claims for this Court's consideration. Pursuant to this Court's directive, Sandusky has now submitted a List of Specific Discovery Requests and Legal Authority in Support of Each Request ("List of Specific Discovery Requests") in connection with three of those claims: 1) Counsel was ineffective for failing to object to that portion of the Commonwealth's closing argument wherein the prosecutor referenced two unnamed victims of Sandusky ("Claim 3b");[2] 2) The Statewide

[1] Sandusky filed a petition for post-conviction relief on April 2, 2015 under seal. An amended petition was thereafter filed on May 6, 2015. For ease of reference, the Commonwealth will refer to the original and amended petitions collectively as "PCRA petition."

[2] Specifically, Sandusky identified Claim 3b as follows: "Trial Counsel's Failure to Object and Demand a Mistrial When The Prosecutor Made a Blatantly False Statement to the Jury Was Ineffective Assistance of Counsel." PCRA Petition, 4/2/15, p.

Investigating Grand Jury ("SWIGJ") process deprived Sandusky of his right to Due Process ("Claim 5");[3] and, 3) Sandusky was deprived on impeachment evidence when the prosecution failed to disclose the existence of any contingent fee agreements between the victims and private counsel ("Claim 7a")[4] The Commonwealth now submits its response thereto.

II. ARGUMENT

Despite his protestations to the contrary, it should be remembered that Sandusky no longer enjoys the benefit of the presumption of innocence. A jury of his peers has spoken. The jurors unanimously concluded that the Commonwealth established beyond a reasonable doubt that Sandusky committed eight counts of involuntary deviate sexual intercourse, 18 Pa.C.S. § 3123(a)(7); seven counts of indecent assault, 18 Pa.C.S. § 3126(a)(7) and (8); nine counts of

[3] As noted by the Commonwealth in its Response filed on September 1, 2015:

> The Commonwealth observes that any allegation of prosecutorial misconduct in connection with the leak of grand jury information is waived at this juncture. Therefore, the only way that Sandusky can obtain review of this claim is to develop it within the context of an ineffective assistance of counsel claim. This is where Sandusky's petition misses the mark. He does not explain what course of action trial counsel should have taken in terms of objections and/or litigation. Moreover, on a more fundamental level, he fails to demonstrate why or how the underlying issue has any merit

Commonwealth's Response to PCRA Petition, p. 21.

[4] As noted by the Commonwealth in its Response filed on September 1, 2015:

> Any claim that the Commonwealth violated *Brady* [*v. Maryland*, 383 U.S. 83 (1963)] could easily have been raised by Sandusky on direct appeal and, as such, it is waived. At this juncture, Sandusky can only seek review of the claim within the context of an allegation that trial counsel was ineffective for failing preserve this objection. Sandusky makes no effort at all to develop any prong of the [*Commonwealth v.*] *Pierce* [527 A.2d 973, 975 (Pa. 1987))] test as it relates to the underlying *Brady* claim, however. Accordingly, it is the Commonwealth's position that Sandusky is not entitled to its review.

Commonwealth's Response to PCRA Petition, pp. 49-50.

unlawful contact with a minor, 18 Pa.C.S. § 6318(a)(1)(5); 10 counts of corruption of minors, 18 Pa.C.S. § 6301(a)(ii); 10 counts of endangering the welfare of children, 18 Pa.C.S. § 4304; and one count of criminal attempt to commit indecent assault, 18 Pa.C.S. § 901 (18 Pa.C.S. § 3126). The Superior Court rejected his claims on direct appeal and the Pennsylvania Supreme Court declined to review his case *Commonwealth v. Sandusky*, 77 A.3d 663 (Pa. Super. 2013). *See Commonwealth v. Sandusky*, 81 A.3d 77 (Pa. December 18, 2013) (No. 577 MAL 2013). Accordingly, Sandusky now stands in a very different position than the one he held prior to trial.

At this juncture, the burden rests squarely on Sandusky's shoulders to prove that he is entitled to discovery. A review of his latest motion, however, reveals a mere juxtaposition of speculation and emotional appeal rather than a solid foundation to support his requests. Indeed, he implores this Court to consider certain "factors" such as: 1) That he has consistently maintained his innocence and has received what amounts to a life sentence; 2) That other cases involving members of the Pennsylvania State University ("Penn State University") academic community will be affected by what occurs in this case; 3) That his case has besmirched the reputation of Penn State University; and, 4) That permitting him to conduct discovery would streamline an evidentiary hearing if one is granted by this Court. These "factors" are wholly irrelevant to the question of whether he is entitled to discovery. Additionally, although Sandusky complains that there is no guidance in the Pennsylvania Rules of Criminal Procedure or caselaw governing the scope or type of post-conviction discovery, he ignores two well-established principles: 1) The Commonwealth cannot produce in discovery what it does not maintain or possess; and 2) Discovery must be sought in connection with a valid, cognizable claim; it is not an opportunity to conduct an unbridled search in an attempt to uncover a basis to support a claim that currently rests on simple conjecture.

The law is well-settled that in PCRA proceedings, no discovery is permitted at any stage of post-conviction proceedings, except upon leave of court after a petitioner demonstrates that there are exceptional circumstances. *See* 42 Pa.C.S.A. § 9545(d)(2); Pa.R.Crim.P. 902(E)(1). The PCRA and the criminal rules do not define the term "exceptional circumstances." Rather, it is for the trial court, in its discretion, to determine whether a case is exceptional and discovery is therefore warranted. *See Commonwealth v. Dickerson,* 900 A.2d 407, 412 (Pa. Super. 2006). Bald assertions, unaccompanied by any supporting evidence, do not entitle a PCRA defendant to discovery. *See Commonwealth v. Spotz*, 18 A.3d 244, 322 (Pa. 2011).

Of considerable import to Sandusky's case is the fact that Pennsylvania courts have routinely held that mere speculation that exculpatory evidence *might* exist does not constitute an exceptional circumstance warranting discovery. *See Dickerson, supra* (emphasis added). Indeed, even in the context of capital cases where the burden is considerably lower than the one that Sandusky bears here,[5] the Pennsylvania Supreme Court has rejected generic pleas for hypothetical evidence. *See Commonwealth v. Bryant*, 855 A.2d 726, 750 (Pa. 2004) (rejecting discovery request of petitioner who "merely speculate[d] as to possible trial court errors, or potentially exculpatory evidence"); *Commonwealth v. Carson,* 913 A.2d 220, 261 (Pa. 2006) (rejecting "fishing expedition for possible exculpatory evidence"); *Commonwealth v. Abu-Jamal,* 720 A.2d 79, 91-92 & n. 15 (Pa. 1998) ("wholesale discovery of whatever information [petitioner] 'believed' to exist and/or of entire files so that he could discern whether his

[5] Rule 902(E)(2) of the Pennsylvania Rules of Criminal Procedure provides that:

> On the first counseled petition in a death penalty case, no discovery shall be permitted at any stage of the proceedings, except upon leave of court after a showing of good cause.

Pa.R.Crim.P. 902(E) (2).

assertions were true" exceeded permitted discovery).

Sandusky's discovery request will now be evaluated against this backdrop.

A. Sandusky's Request to Subpoena Certain Individuals For The Purpose of Obtaining Statements Under Oath Should be Denied

Sandusky has requested this Court to issue "compulsory process, subpoenas" to certain individuals[6] for the purpose of obtaining "statements under oath" in connection with Claims 3b and 5. List of Specific Discovery Requests, p. 4. To the extent that Sandusky is seeking subpoenas in order to procure testimony at an evidentiary hearing, such a request is premature. This Court has not yet determined whether Sandusky is entitled to an evidentiary hearing in connection with any of his claims. *See* Pa.R.Crim.P. 909. Indeed, a petitioner for post-conviction relief is not entitled to an evidentiary hearing as a matter of right, but only where the petition presents genuine issues of material fact. *See Commonwealth v. Keaton*, 45 A.3d 1050 (Pa. Super. 2012).

Should Sandusky be requesting the issuance of subpoenas for the purpose of obtaining deposition testimony, this clearly evidences his concern that he has failed to demonstrate the existence of any genuine issues of material fact in his PCRA petition with respect to Claims 3b and 5. Indeed, the fact that Sandusky is even submitting such a request underscores and highlights that he is still searching for evidence to support his self-serving narrative on appeal,

---

[6] In connection with Claim 3b, he wishes to subpoena Allan C. Myers, Corporal Joseph Leiter of the Pennsylvania State Police ("PSP"), PSP Trooper James Ellis, United States Postal Inspector M.J. Corricelli and Joseph McGettigan, Esquire. See List of Specific Discovery Requests, 9/29/15, p. 4.

In connection with Claim 5, he wishes to subpoena Frank Fina, Esquire, Jonelle Eshbach, Esquire, Sara Ganim, Michael Gillum, Aaron Fisher, Dawn Hennessy, Deb McCord and, "any other individual who had access to the proceedings before the Grand Juries investigating the activities of the Defendant, Jerry Sandusky." List of Specific Discovery Requests, 9/29/15, p 17.

namely, that the prosecutors engaged in misconduct.[7] He is thus seeking this Court's permission to conduct his own "pre-hearing" of sorts and evade his burden of establishing exceptional circumstances that entitle him to discovery under Rule 902(E)(1). The Pennsylvania Rules of Criminal Procedure govern post-conviction proceedings and these rules do not provide for the taking of depositions.[8] Sandusky should not be permitted to circumvent these rules and, accordingly, his request for subpoenas should be denied.

---

[7] Indeed, a review of his recent pleading reveals that Sandusky has conceded that he needs to take depositions in order to determine if he is correct in his speculations about the conduct of the prosecutors. Specifically in his List of Specific Discovery Requests, he states:

> [Claim 3b] Of course, the Defendant must speculate about the prosecutor's mindset in his petition and that is why the Defendant wishes to take the prosecutor's sworn statement to determine, with precision, what his mindset and motivations were.
>
> ***
>
> [Claim 5] On Page 31 of its Response, the Commonwealth notes that Sandusky avers - - without any supporting evidence - - that "the leaking of information, during the time [that] the Commonwealth's investigation had stalled, was a ***deliberate*** act by the prosecution and its agents, or other agents of the [30th or 33rd SWIGJ] to advance the investigation and spur other alleged victims to come forward." The obvious question arises, how in the world would Sandusky be able to produce the supporting evidence without having the opportunity to question, under oath, the players involved in the leaking of information.

List of Specific Discovery Requests, 9/29/15, pp. 10, 22.

[8] Sandusky appears to be relying on Rule 234.1 of the Pennsylvania Rules of Civil Procedure which provides in relevant part:

> **Rule 234.1. Subpoena to Attend and Testify**
>
> (a) A subpoena is an order of the court commanding a person to attend and testify at a particular time and place. It may also require the person to produce documents or things which are under the possession, custody or control of that person.
>
> (b) A subpoena may be used to command a person to attend and to produce documents or things only at

B. An Overly Broad Discovery Request in Connection with a Meritless Claim Should be Denied.

Although he was instructed to submit a list of *specific* discovery requests, Sandusky sets forth an overly broad request for documents reflecting communications and notes of communications relating to the potential trial testimony of Allan C. Myers ("Myers"), as well as any documents relating to efforts to serve a subpoena upon him. Sandusky's theory, which is only supported by his own wishful interpretation, is that the prosecutor lied to the jury when he stated the following during closing arguments:

> I don't want to tug at your heart strings. I want to remind you of what the substance of this case is about, because it's what happened to those boys.
>
> You know what? Not just those boys, to others unknown to us, to others presently known to God but not to us, but we know what the defendant did to them because adults saw them and adults told you about them.

N.T. 6/21/12, p. 111. Sandusky suggests that the prosecutor's remarks could only have been a reference to Victim 2, and that the identity of Victim 2 was, in fact, known to the Commonwealth as Myers. His argument follows that the Commonwealth did not call Myers as a witness because he could have potentially undercut the testimony of Michael McQueary. In the appendix to his PCRA petition, Sandusky includes reports and memorandums that reveal conflicting accounts from Myers as to whether or not he was a victim of Sandusky's abuse.

It is axiomatic that discovery may only be sought in connection with a cognizable claim under the PCRA. Here, Sandusky must prove that his trial counsel was ineffective for failing to object to the portion of the prosecutor's closing argument set forth above. In order to succeed on a claim of ineffective assistance of counsel based on trial counsel's failure to object to

---

(1) a trial or hearing in an action or proceeding pending in the court, or

(2) the taking of a deposition in an action or proceeding pending in the court.

Pa.R.Civ.P. 234.1

prosecutorial misconduct, however, Sandusky must demonstrate that the prosecutor's actions violated a constitutionally or statutorily protected right, such as the Fifth Amendment privilege against compulsory self-incrimination or the Sixth Amendment right to a fair trial, or a constitutional interest such as due process. *Commonwealth v. Hanible,* 30 A.3d 426, 464–65 (Pa. 2011). "To constitute a due process violation, the prosecutorial misconduct must be of sufficient significance to result in the denial of the defendant's right to a fair trial." *Id.* at 465 (quoting *Greer v. Miller,* 483 U.S. 756, 765, 107 S.Ct. 3102, 97 L.Ed.2d 618 (1987)). The touchstone is fairness of the trial, not the culpability of the prosecutor." *Id.* Finally, "[n]ot every intemperate or improper remark mandates the granting of a new trial;" *id.,* "[r]eversible error occurs only when the unavoidable effect of the challenged comments would prejudice the jurors and form in their minds a fixed bias and hostility toward the defendant such that the jurors could not weigh the evidence and render a true verdict." *Id.* Sandusky has fallen far short in terms of establishing a valid claim and instead makes many assumptions including, *inter alia*: 1) That the argument of the prosecutor was not a reasonable inference from the evidence adduced at trial; 2) That the prosecutor made a false statement to the jury; and 3) That his trial counsel knew, or should have known, that the prosecutor was making a false statement to the jury and had no reasonable basis for objecting thereto.

Sandusky's discovery request in connection with Claim 3b is a classic example of "putting the cart before the horse." He is seeking discovery in the hope of finding some evidence somewhere to support a valid claim. A claim in search of a basis does not warrant the grant of discovery.

Even assuming that Sandusky could establish a legitimate claim, his discovery request should still be denied because he cannot demonstrate that any of the documents even exist. *See*

Commonwealth v. Bridges, 886 A.2d 1127, 1131 (Pa. 2005) (A PCRA petitioner is not entitled to discovery where he has not shown the existence of requested documents); *Commonwealth v. Bryant*, 855 A.2d 726, 750 (Pa. 2004) (Speculation that requested documents will uncover exculpatory evidence does not satisfy the requirements of Rule 902(E)(2)). Indeed, the Pennsylvania Supreme Court has viewed overly broad discovery requests under Rule 902(E)(2) with suspicion, *see Commonwealth v. Williams*, 86 A.3d 771, 788 (Pa. 2014), noting that a general claim of necessity is insufficient. Moreover, any notes taken by the Commonwealth are privileged under the "work-product" doctrine and Sandusky does not make any effort to explain how or why the privilege should not apply.[9] Finally, the Commonwealth would point out that documents and notes held by the United States Postal Inspectors are not under the control of the Office of Attorney General ("OAG").

C. Sandusky Cannot Personally Investigate a Leak of Grand Jury Information Through the Guise of Discovery

In Claim 5, Sandusky seeks dismissal of all of his convictions that pertained to victims who came forward after information regarding the grand jury investigation was leaked to the media and published in articles in the Centre Daily Times and The Patriot-News on March 31, 2011. Since he has conceded that he has no evidence in support of this claim, *see* List of Specific Discovery Requests, 9/29/15, p. 22 ("[H]ow in the world would Sandusky be able to produce the supporting evidence without having the opportunity to question, under oath, the players involved

---

[9] Rule 573(G) of the Pennsylvania Rules of Criminal Procedure provides as follows:

> Disclosure shall not be required of legal research or of records, correspondence, reports, or memoranda to the extent that they contain the opinions, theories, or conclusions of the attorney for the Commonwealth or the attorney for the defense, or members of their legal staffs.

Pa.R.Crim.P. 573(G)

in the leaking of information"), he petitions this Court for permission to do what he is expressly precluded from doing under the law: Conduct his own personal investigation into the grand jury leak. "Pennsylvania's grand jury process is 'strictly regulated,' and the supervising judge has the singular role in maintaining the confidentiality of grand jury proceedings." *Camiolo v. State Farm Fire and Casualty Co.*, 334 F.3d 345, 356 (3rd Cir. 2003) (citation omitted). "The supervising judge has the continuing responsibility to oversee grand jury proceedings, a responsibility which includes insuring the solemn oath of secrecy is observed." *In re June 1979 Allegheny County Investigating Grand Jury,* 415 A.2d 73, 78 (Pa. 1980). The oath of secrecy is administered to grand jurors, court personnel, and those who assist in the proceedings or who are to be present while the grand jury is in session. *See* Pa. R.Crim. P. 224, 225, 231(c). Witnesses, however, are not subject to the secrecy oath. *See* Pa. R.Crim. P. 227. Indeed, the Grand Jury Act provides: "No witness shall be prohibited from disclosing his testimony before the investigating grand jury except for cause shown in a hearing before the supervising judge." 42 Pa. C.S. § 4549(d).[10]

With respect to investigation of a suspected breach of grand jury secrecy, the Pennsylvania Supreme Court observed in the case of *In re Dauphin County Fourth Investigating Grand Jury,* 19 A.3d 491 (Pa. 2011) that appointment of a special prosecutor was necessary:

> The very power of the grand jury, and the secrecy in which it must operate, call for a strong judicial hand in supervising the proceedings" and . . . when there are colorable allegations or indications that the sanctity of the grand jury process has been breached and those allegations warrant investigation, the appointment of a special prosecutor to conduct such an investigation is appropriate.

[10] According to the official report issued by H. Geoffrey Moulton, Jr., Special Deputy Attorney General ("Moulton Report"), the OAG obtained an order on April 14, 2011 that directed the witnesses not to publicly disclose their testimony. See Report to the Attorney General on The Investigation of Gerald A. Sandusky, 5/30/14, p. 154

Id. at 503–04. This position was re-affirmed in the case of *In re Thirty–Fifth Statewide Investigating Grand Jury*, 112 A.3d 624, 630-31 (Pa. 2015).

In light of the foregoing authority, it is clear that only a special prosecutor appointed by the supervising judge of the grand jury can investigate a leak of grand jury information. Sandusky cannot undertake a separate investigation on his own.[11] Sandusky's request should be denied in this regard.

In Sandusky's case, James Reeder, Esquire ("Attorney Reeder") was appointed as the special prosecutor. To the extent that Sandusky seeks any documents generated by the supervising judge or Attorney Reeder in connection with the investigation into the leak, he must make application to the Honorable Norman A. Krumenacker, III directly. The OAG does not possess the records of the special prosecutor.

The discovery request in connection with Claim 5 fails for yet another fundamental reason. Even if the special prosecutor had determined that the OAG had violated grand jury secrecy, the consequence is contempt of court, *see* 42 Pa.C.S. § 4549(b), not dismissal of charges for a criminal defendant. Therefore, in order to seek the relief that he requests - - assuming *arguendo* that the remedy is available - - [12] Sandusky would have to establish much more than

---

[11] Although not authorized to conduct an official grand jury investigation into the leak, the OAG did conduct an internal investigation to determine whether anyone within law enforcement had violated their grand jury secrecy obligations. According to the Moulton Report, the efforts were unsuccessful. *See* Report to the Attorney General on The Investigation of Gerald A. Sandusky, 5/30/14, p. 70, n. 134.

[12] In the case of *Commonwealth v. Smart*, 84 A.2d 782 (Pa. 1951), the Pennsylvania Supreme Court stated:

> Even though it might be possible to imagine a situation which presented justification, and even necessity, to investigate the acts and conduct of a prosecuting officer during the course of his attendance upon the Grand Jury, it is certainly true that such an investigation should never, under any circumstances, be instituted except on the basis of credible, detailed, sworn and persuasive

the fact that a leak occurred. He would need to show that misconduct by the prosecutors somehow interfered with the grand jury's ability to exercise its judgment when returning the presentment against him. For example, in the case of *In re Report of the Grand Jury, Jefferson County*, the court stated:

> Here the movant did not assert that the conclusions in the report of Grand Jury II were not based upon the findings of fact in the report, nor that the grand jury's inquiry was outside the scope of its authority, but sought to repress the report as a sanction for the misconduct of the State Attorney, which allegedly rendered the grand jury's report "unlawful" Suppression of grand jury materials or dismissal of the indictment are available remedies for unlawful disclosure or other prosecutorial misconduct in extreme circumstances, but absent evidence of actual prejudice to the complainant or that such prosecutorial misconduct significantly infringed on the grand jury's ability to exercise its independent judgment, such extreme remedies are not warranted, since a contempt citation or other attorney discipline will serve the purpose of curtailing such conduct.

In re Report of the Grand Jury, Jefferson County, 533 So.2d 873, 875 (Fla. 1st DCA 1988). Although he insists that the victims who came forward after the leak were all motivated by financial gain, he would have to demonstrate that the victims lied to investigators and/or prosecutors told the victims to testify falsely before the grand jury which directly impacted the presentment in his case. Because he has no evidence of such collusion and nefarious activity, his claim is meritless and any discovery request would simply be a fishing expedition. Accordingly, discovery should denied.

---

averments by witnesses of the irregularities complained of.

Smart, 84 A.2d at786.

It should be noted that the *Smart* case involved an indictment returned by a grand jury as opposed to a presentment. The Commonwealth set forth the important distinction between indicting and investigating grand juries in its September 1, 2015 response.

D. The Commonwealth Does Not Possess or Control The Files of Private Attorneys

In Claim 7a of his PCRA petition, Sandusky averred that the victims in his case had a significant financial motive to fabricate their accounts of abuse and that the Commonwealth violated the dictates of *Brady v. Maryland*, 373 U.S. 83 (1963), by failing to disclose the existence of the victims' contingent fee agreements with their civil attorneys.[13] With no evidence that any such agreements even exist, Sandusky now asks this Court to direct the Commonwealth to produce the documents to him in discovery.[14] The Commonwealth certainly does not possess or have access to the files of private attorneys. To the extent that Sandusky asks this Court to issue a subpoena for these records, the Commonwealth contends that unless and until this Court determines that he is entitled to an evidentiary hearing on this claim, any request for a subpoena is immature. Although not specifically stated, should Sandusky be requesting a stand-alone subpoena *duces tecum* to engage in improper "pre-hearing" discovery, this request should be denied for the reasons set forth by the Commonwealth in Section A.

---

[13] As noted in footnote 4, *supra*, it is the Commonwealth's position that Sandusky has waived any review of this claim. Because he failed to establish a viable claim, any related discovery request should be denied on this basis alone.

[14] Specifically, he requests any agreements executed by Brett Houtz, Aaron Fisher, Dustin Struble, Zachary Konstas and Jason Simcisko. He also requests discovery of any agreement(s) signed by Myers, even though Myers did not testify at trial.

III. CONCLUSION

In light of the foregoing, the Commonwealth requests that Sandusky's List of Specific Discovery Requests be denied.

Respectfully submitted,

BRUCE R. BEEMER
First Deputy Attorney General

LAWRENCE M. CHERBA
Executive Deputy Attorney General
Criminal Law Division

AMY ZAPP
Chief Deputy Attorney General
Appeals and Legal Services Section

BY: Jennifer A. Peterson /bcs

JENNIFER A. PETERSON
Deputy Attorney General
Attorney ID No. 84357
jpeterson@attorneygeneral.gov

Pennsylvania Office of Attorney General
Appeals & Legal Services Section
16th Floor, Strawberry Square
Harrisburg, PA 17120
(717) 783-0158

Date: October 22, 2015

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA	:	
	:	
v.	:	NO. CR-2421-2011
	:	NO. CR-2422-2011
GERALD A. SANDUSKY	:	

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving a copy of the foregoing document upon the person(s) and in the manner indicated below.

Service by facsimile and first class mail addressed as follows:

Alexander H. Lindsay, Jr., Esquire
110 East Diamond Street
Suite 301
Butler, PA 16001-5982
(*Counsel for Gerald A. Sandusky*)

Jennifer A Peterson/bcs

JENNIFER A. PETERSON
Deputy Attorney General
Attorney ID No. 84357
jpeterson@attorneygeneral.gov

Date: October 22, 2015