

**IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY
CRIMINAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA :

v. :

GERALD A. SANDUSKY :

NO. CR-2421-2011

NO. CR-2422-2011

**COMMONWEALTH OF PENNSYLVANIA'S UNOPPOSED MOTION FOR SEVEN
DAY ENLARGEMENT OF TIME TO SUBMIT PROPOSED FINDINGS OF FACT AND
CONCLUSIONS OF LAW**

TO THE HONORABLE JOHN H. FORADORA, SPECIALLY PRESIDING:

NOW COMES, the Commonwealth of Pennsylvania, by and through its attorneys, who files this unopposed motion for seven day enlargement of time to submit proposed findings of fact and conclusions of law, and, in support thereof, avers as follows:

1. Petitioner, Gerald A. Sandusky, ("Sandusky"), is seeking relief pursuant to the Pennsylvania Post-Conviction Relief Act ("PCRA"), 42 Pa.C.S. § 9541, *et seq.*
2. After a series of evidentiary hearings concluded on May 11, 2017, this Court directed counsel for Sandusky to submit proposed findings of fact and conclusions of law within 30 days of receipt of the transcript of the May 11, 2017 proceeding.
3. On July 12, 2017, Sandusky submitted proposed findings of fact and conclusions of law which spanned 257 pages.
4. The Commonwealth of Pennsylvania's proposed findings of fact and conclusions of law are presently due on August 11, 2017.
5. Due to the recent schedule of your undersigned attorney and the need to review and address the averments and arguments set forth in Sandusky's voluminous pleading, the Commonwealth of Pennsylvania is respectfully requesting a seven

day enlargement of time in which to submit its proposed findings of fact and conclusions of law.

6. Specifically, your undersigned counsel attended proceedings in Allegheny County during the week of July 10-14, 2017 and filed a Concise Statement of Errors Complained of on Appeal pursuant to Pa.R.A.P. 1925(b) in the capital case of *Commonwealth v. Milton Montalvo* (York County Docket No. CR-3183-1998) on July 14, 2017. Your undersigned counsel filed an answer to a petition for review in the Supreme Court of Pennsylvania in the matter of *In Re: Fortieth Statewide Investigating Grand Jury* (Docket No. 45 WM 2017) on July 17, 2017 and then submitted a post-hearing brief spanning 87 pages in the capital case of *Commonwealth v. Noel Montalvo* (York County Docket No. CR-753-1999) on July 21, 2017. From July 31, 2017 through August 3, 2017, your undersigned counsel attended post-conviction proceedings in the Beaver County Court of Common Pleas in connection with the case of *Commonwealth v. Jamie Brown* (Beaver County Docket No. CR-913-2001). She also prepared an answer to an application for leave to submit a reply in further support of petition for review in the matter of *In Re: Fortieth Statewide Investigating Grand Jury* (45 WM 2017) on August 1, 2017. Your undersigned counsel was then required to travel to Montgomery County on August 4, 2017. She will be returning to Montgomery County for proceedings on August 10, 2017 and August 11, 2017.
7. In light of the aforementioned circumstances, the Commonwealth of Pennsylvania is in need of additional time in which to submit its proposed findings of fact and conclusions of law.

8. This request is made in good faith and is not intended to predicate undue delay in this case.
9. Counsel for Sandusky, Alexander H. Lindsay, Esquire and J. Andrew Salemme, Esquire, have no objection to this request for an enlargement of time.

WHEREFORE, based on the aforementioned reasons, the Commonwealth respectfully requests this Court to issue an order granting this unopposed motion for seven day enlargement of time and permit the Commonwealth to submit its proposed findings of fact and conclusions of law on August 18, 2017.

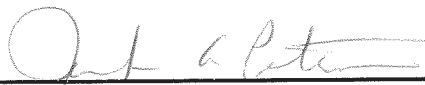
Respectfully submitted,

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Date: August 7, 2017

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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 first class mail addressed as follows:

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