

**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 MOTION FOR ONE 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 motion for one 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 18, 2017.
5. Your undersigned counsel traveled to Allegheny County on August 13, 2017 for work-related proceedings and will be returning to Harrisburg on August 17, 2017. She has been utilizing her personal laptop over the course of the weekend and

during the evenings to work on the Commonwealth's proposed findings of fact and conclusions of law. Unfortunately, however, a virus corrupted her personal laptop last evening and she can no longer access the document. Your undersigned counsel does have an earlier version of the document, but will need to re-create a large portion of it. Due to this development, your undersigned counsel is seeking one additional business day to submit the Commonwealth's proposed findings of fact and conclusions of law.

6. Your undersigned counsel sent an electronic mail communication to counsel for Sandusky, Alexander H. Lindsay, Esquire and J. Andrew Salemme, Esquire inquiring as to whether they have any objection to this request. As of the time of this filing, your undersigned counsel has not received a response from counsel.


WHEREFORE, based on the aforementioned reasons, the Commonwealth respectfully requests this Court to issue an order granting this motion for one day enlargement of time and permit the Commonwealth to submit its proposed findings of fact and conclusions of law on August 21, 2017.

Respectfully submitted,

JOSH SHAPIRO
Attorney General

JENNIFER C. SELBER
Executive Deputy Attorney General
Criminal Law Division

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BY: 
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Date: August 16, 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:

*Alexander H. Lindsay, Jr., Esquire
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(Counsel for Gerald A. Sandusky)*



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Date: August 16, 2017