

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY,
PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA :
VS. : CP-14-CR-2421-2011
GERALD A. SANDUSKY : CP-14-CR-2422-2011


ORDER
Defendant's Motion – Pre-Trial Discovery

And now, February 13, 2012, upon consideration of the Defendant's Motion to Compel the Commonwealth to Provide Pre-Trial Discovery, it is ordered as follows:

With reference to the Defendant's First Request for Pre-Trial Discovery dated December 29, 2011, and Defendant's Second Request for Pre-Trial Discovery dated February 6, 2012:

1. If the Commonwealth agrees that the specific information requested is discoverable, or that it will be disclosed even if it is not discoverable, and that the information requested has been fully disclosed; or if the Commonwealth agrees that, although the category of information requested is otherwise discoverable, no such evidence is in the possession of the Commonwealth; then the Court will accept the Commonwealth's representation made under penalty of perjury, and deny the relevant portion of the Defendant's Motion to Compel as moot.
2. If the Commonwealth does not agree the information requested is discoverable, then the Commonwealth shall state its objection to the disclosure of each category of information requested, or its objection to the disclosure of any item within an otherwise discoverable category, and the Court, after providing the Defendant with an opportunity to respond, will rule accordingly. Any Commonwealth objection to the disclosure of any category or item of information shall be specifically stated, and supported with a citation to authority. A broad or general objection will not be deemed sufficient.
3. The Commonwealth's response to this order shall be filed on or before February 20, 2012. If the Defendant chooses to reply his reply shall be filed on or before February 27, 2012.

By the Court:


John M. Cleland, S.J.
Specially Presiding

FILED FOR RECORD

2012 FEB 13 A 9:30

DEBRA C. IMMEL
PROTHONOTARY
CENTRE COUNTY, PA