

IN THE COURT OF COMMON PLEAS OF
CENTRE COUNTY, PENNSYLVANIA

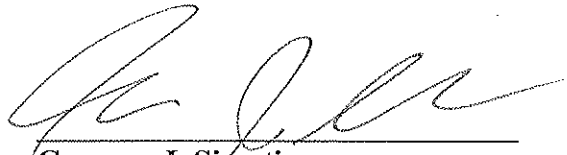
ANTHONY SPINELLI, JR., :
Appellant :
v. : CP-14-MD-1010-2015
: :
KATHLEEN G. KANE, ATTORNEY :
GENERAL, COMMONWEALTH OF :
PENNSYLVANIA, LAWRENCE M. :
CHERBA, EXECUTIVE DEPUTY :
ATTORNEY GENERAL, :
COMMONWEALTH OF :
PENNSYLVANIA, LAURA A. DITKA, :
CHIEF DEPUTY ATTORNEY GENERAL, :
COMMONWEALTH OF PENNSYLVANIA, :
Respondents :

NOTICE OF APPEAL

Notice is hereby given that Kathleen G. Kane, Lawrence M. Cherba, and Laura A. Ditka, respondents above named, hereby appeal to the Superior Court of Pennsylvania from the Order entered in this matter on the 28th day of October, 2015. This Order has been entered in the docket as evidenced by the attached copy of the docket entry.

Bruce R. Beemer
First Deputy Attorney General

By:



Gregory J. Sjmatic
Deputy Attorney General
Attorney ID No. 201019

Office of Attorney General
Criminal Law Division
Appeals & Legal Services Section
564 Forbes Avenue, 6th Floor
Pittsburgh, PA 15219
(412) 565-5339

Date: November 24, 2015

COURT OF COMMON PLEAS OF CENTRE COUNTY

DOCKET



Docket Number: CP-14-MD-0001010-2015

MISCELLANEOUS DOCKET

Appeal-Att for Comm's Disapproval of Private Com

Anthony Spinelli, Jr. VS. Kathleen G. Kane, Attorney General, Comm. of PA, Lawrence M. Cherba, Executive Deputy Atty. General, Comm. of PA, Laura A. Ditka, Chief Deputy Atty. General, Comm. of PA

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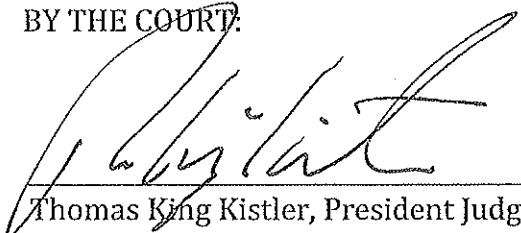
ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
1	06/03/2015		Spinelli, Anthony Jr.
Appeal - Attorney from Commonwealth's Disapproval of Private Complaint			
1	07/02/2015	06/30/2015	Kistler, Thomas King
Order Scheduling Hearing (Mailed copies to Atty.'s Kane, Cherba, & Ditka - 07/06/15)			
Kiss, Daniel Joseph 07/02/2015			
Passarello, Steven Paul 07/02/2015			
1	10/22/2015		Cherba, Lawrence M.
Reply to Appellant's Appeal of Denial of Private Criminal Complaint			
1	10/28/2015		Kistler, Thomas King
Opinion and Order (Denial of the Private Criminal Complaint is Overruled)			
Cherba, Lawrence M. 10/28/2015			
Ditka, Laura Ann 10/28/2015			
Kiss, Daniel Joseph 10/28/2015			
Passarello, Steven Paul 10/28/2015			

ORDER

AND NOW, this 28th day of October, 2015, upon review of the Appeal of Denial of Private Criminal Complaint filed by Anthony Spinelli, Jr., the denial of the Private Criminal Complaint is hereby OVERRULED. The Office of the Attorney General is hereby directed to resume evaluation of whether the allegations set forth establish a *prima facie* case for the crimes charged. If a *prima facie* case has been established, the Office of Attorney General shall transmit the Private Criminal Complaint to the issuing authority as required by Rule 506 of the Pennsylvania Rules of Criminal Procedure.

BY THE COURT:



Thomas King Kistler, President Judge

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CHIEF DEPUTY ATTORNEY GENERAL, :
COMMONWEALTH OF PENNSYLVANIA, :
Respondents :

ORDER FOR TRANSCRIPT

A notice of appeal having been filed in this matter, the Official Court Reporter is hereby requested to prepare, certify and file the transcript from the hearing held on October 22, 2015 in this matter in conformity with Rule 1922 of the Pennsylvania Rules of Appellate Procedure. The Office of Attorney General will pay any necessary fees for this transcription.

Bruce R. Beemer
First Deputy Attorney General

By:



Gregory J. Simatic
Deputy Attorney General
Attorney ID No. 201019

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ATTORNEY GENERAL,	:	
COMMONWEALTH OF	:	
PENNSYLVANIA, LAURA A. DITKA,	:	
CHIEF DEPUTY ATTORNEY GENERAL,	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
Respondents	:	

CERTIFICATE OF SERVICE

I hereby certify that I am this day serving this **Notice of Appeal** upon the persons and in the manner indicated below. The manner of service satisfies the requirements of Pa.R.A.P. 906.

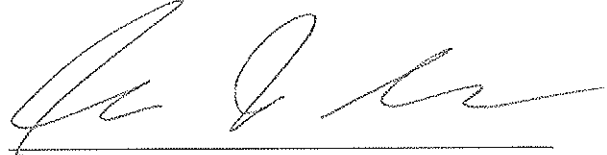
Service via personal delivery:

Honorable Thomas King Kistler
Court of Common Pleas
Centre County, PA

Thomas Bitsko
Court Reporter
Court of Common Pleas
Centre County, PA

Kendra J. Miknis
Court Administrator
102 South Allegheny Street
Bellefonte, PA 16823

Daniel J. Kiss, Esq.
Law Office of Steven Passarello
616 Hileman Street
Altoona, PA 16602

A handwritten signature in black ink, appearing to read 'G. J. Simatic', written over a horizontal line.

Gregory J. Simatic
Deputy Attorney General

Date: November 24, 2015