

**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PA**

COMMONWEALTH OF :  
PENNSYLVANIA, :  
 :  
v. : 90-10,292  
 :  
JERARD BRADLEY, :  
Defendant :

**OPINION**  
**Issued Pursuant to Pa.R.A.P. 1925(a)**

This opinion is written in support of this court’s sentencing order of 24 February 1999 on his homicide conviction. The defendant for some reason appears to believe he is entitled to credit on this sentence for imprisonment time he served while awaiting trial on a non-related charge.

The applicable statute is very clear; 42 Pa.C.S.A. § 9760(1) states: “Credit against the maximum term and any minimum term shall be given to the defendant for all time spent in custody as a result of the criminal charge for which a prison sentence is imposed or as a result of the conduct on which such a charge is based.” The defendant was arrested on this charge on 26 February 1990. Therefore, the court made his sentence effective from that date.

BY THE COURT,

Clinton W. Smith, P.J.

cc: Dana Stuchell, Esq., Law Clerk  
Hon. Clinton W. Smith  
Marc Lovecchio, Esq.  
District Attorney  
Gary Weber, Esq., Lycoming Reporter