

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : No. 99-10850
:
vs. : CRIMINAL DIVISION
:
CRAIG A. WELSHANS, :
Defendant : Omnibus Pretrial Motion

ORDER

AND NOW, this 17th day of December, 1999, after argument on the Omnibus Pretrial Motion filed by the defendant, it is ORDERED and DIRECTED as follows:

I. MOTION FOR DISCOVERY

The Commonwealth shall provide to the defense the Jersey Shore Hospital records in their possession within ten (10) days from the date of this Order.

Further, the Commonwealth shall endeavor to obtain the following information from the alleged victim in this case, and to provide such to the defense:

- a. Information on whether the alleged victim was hospitalized or institutionalized for mental health illness or disease, including location, length of treatment and approximate time frame.
- b. Names and addresses of doctors or medical or medical providers who have treated the alleged victim for mental health problems in the two (2) year period.

This information shall be restricted to a two (2) year time frame preceding the date of the alleged crime. The defendant can then subpoena information from such mental health providers. However, this Order does not address or decide whether any such providers would have a privilege which would preclude their providing of records.

The information shall be provided within thirty (30) days of the date of this Order.

II. MOTION TO DISMISS

The Motion to Dismiss is DENIED. The Court believes this matter is a credibility

question.

III. ALTERNATIVE MOTION TO DISMISS

The Alternative Motion to Dismiss is DENIED. The Court will have a better opportunity to review the matter at the time of trial.

IV. MOTION FOR MENTAL EXAMINATION

The Motion for Mental Exam is DENIED at this time. This is without prejudice to renew the motion a later time after completion of discovery.

By The Court,

Kenneth D. Brown, J.

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