

G. Weber

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

COMMONWEALTH

v.

SALVATORE GAINEY,
Defendant

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No.: 04-10,112

OPINION AND ORDER

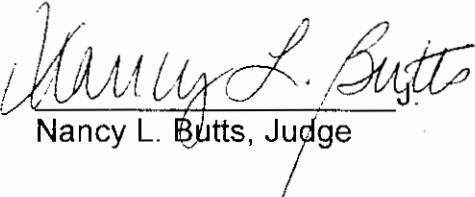
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Before the Court is the Defendant's Omnibus Pretrial Motion filed May 26, 2004 and heard by the Court on July 13, 2004. The Court previously issued an Order in this matter on July 13, 2004, but no ruling was made on the Defendant's petition for Writ of Habeas Corpus, which was contained in Defendant's Omnibus Pretrial Motion. The Court gave the Commonwealth two weeks to provide additional information on the habeas corpus issue if it chose to do so. No information has been received from the Commonwealth. The Defendant's request that any charges in the information regarding controlled substances found within a white van be dismissed is therefore before the Court. The Court has reviewed the criminal complaint, the accompanying affidavit, and the criminal information filed in this case. None of the charges currently pending against the Defendant arise from any controlled substances allegedly found within the white van. The Court therefore denies the Defendant's Petition for Writ of Habeas Corpus.

ORDER

AND NOW, this 9th day of August, 2004, after hearing on the Defendant's Omnibus Pretrial Motion, and for the reasons set forth above, it is ORDERED and DIRECTED that the Defendant's Petition for Writ of Habeas Corpus is DENIED.

By the Court,


Nancy L. Butts, Judge

xc: DA (HM)
Donald Martino, Esquire
Court Administrator
Judges
Honorable Nancy L. Butts
Law Clerk
Gary Weber, Esquire