

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : NO. 05-10,233
:
vs. :
:
MARK SMITH, :
Defendant :

OPINION IN SUPPORT OF ORDER OF NOVEMBER 15, 2005,
IN COMPLIANCE WITH RULE 1925(A) OF
THE RULES OF APPELLATE PROCEDURE

In response to the Commonwealth's Statement of Matters Complained of on Appeal, filed January 4, 2006, which indicates only generally that the Commonwealth believes this Court erred in granting the defendant's motion to require the complainant to undergo a psychiatric/psychological examination, the Court chooses to rely on the Opinion and Order entered in response to Defendant's motion, dated November 15, 2005.

Dated: January 6, 2006

Respectfully submitted,

Dudley N. Anderson, Judge

cc: District Attorney
Peter Campana, Esquire
Gary Weber, Esquire
Hon. Dudley N. Anderson