

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :
 :
 vs. : NO. 1376-2005
 :
 CHRISTINE SAIERS, :
 :
 Defendant : 1925(a) OPINION

Date: January 17, 2007

**OPINION IN SUPPORT OF THE ORDER OF DECEMBER 18, 2006 IN COMPLIANCE
WITH RULE 1925(a) OF THE RULES OF APPELLATE PROCEDURE**

On January 5, 2007, the Commonwealth filed a notice of appeal regarding this court's December 18, 2006 order granting in part and denying in part Defendant Christine Saiers's Omnibus Pre-trial Motion filed May 1, 2006. The court partially granted Saiers's motion to suppress evidence. The court suppressed the statements Saiers gave to police on July 15, 2005 following a polygraph examination. The court determined that she was in custody at that time, requested to speak with an attorney before continuing with the interrogation, and that request was not honored.

On January 5, 2007, this court issued an order in compliance with Pennsylvania Rules of Appellate Procedure Rule 1925(b) directing the Commonwealth to file a concise statement of matters complained of on appeal within fourteen days of the order. On January 16, 2007, the Commonwealth filed its concise statement of matters.

The court has reviewed the concise statement of matters and the issues raised therein. The court believes that the December 22, 2006 Opinion issued by this court in support of the

December 18, 2006 order addresses the issues raised in the concise statement of matters. Therefore, the court relies upon that opinion and believes the Commonwealth's appeal should be denied.

BY THE COURT,

William S. Kieser, Judge

cc: William J. Miele, Esquire
Nicole Spring, Esquire
Michael Dinges, Esquire
Kenneth Osokow, Esquire
Judges
Christian Kalas, Esquire
Gary L. Weber, Esquire (Lycoming Reporter)