

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH : No. CR-1713-2008
vs. : CRIMINAL
:
HAROLD MANLEY, : Order Re Omnibus Pre-trial Motion
Defendant :

ORDER

AND NOW, this ____ day of June 2009, the Court DENIES Defendant's Omnibus Pretrial motion seeking a petition for writ of habeas corpus. Defendant was charged with aggravated assault, simple assault and recklessly endangering another person. The evidence presented at the preliminary hearing from the victim in this case was that Defendant approached him yelling about being in his garbage. The victim denied he was in Defendant's garbage and tried to back away. Defendant then repeatedly struck the victim in and about the head with a closed fist. The victim went into convulsions and lost consciousness. When he awoke, he was on the ground and his eye was bloody and his lip was split. He was taken to the hospital. He spent two days in the hospital with a fractured eye socket and he continues to have pain in his eye to this day. The Court finds this evidence is sufficient for all the charges to be heard by a jury.

By The Court,

Kenneth D. Brown, P.J.

cc: Mary Kilgus, Esquire (ADA)
Christian Lovecchio, Esquire
Gary Weber, Esquire (Lycoming Reporter)
Work file