

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH : No. CR-499-2010
:
vs. : CRIMINAL DIVISION
:
:
PAUL COLEMAN :
: 1925(a) Opinion

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

This opinion is written in support of this Court's judgment of sentence dated March 21, 2012 and its Opinion and Order dated August 16, 2012, which granted the Commonwealth's motion to modify sentence and denied Defendant's post sentence motion. The Court believes that the issues raised by both parties are addressed in the Opinion and Order dated August 16, 2012.

With respect to the timeliness of the Court's decision, the Court notes that the argument on the motions did not take place on April 19, 2012 as originally scheduled but had to be rescheduled to May 21, 2012 due to a video conferencing issue. The Court also wanted an opportunity to review the trial transcripts on some of the issues raised by Defendant, but the transcripts needed to be prepared.¹ In light of these issues, defense counsel orally requested a thirty day extension of the time period for the Court to decide the post sentence motions. The Court told counsel it would enter an order granting the motion, but the Court

¹ In most cases in Lycoming County, trial transcripts are not requested or prepared until an appeal is filed. The Court utilized the transcripts in preparing its Opinion and Order dated August 16, 2012. The transcripts were filed on August 21, 2012, before either party filed their appeal in this case.

inadvertently failed to do so until it issued its Order dated August 20, 2012.

DATE: _____

By The Court,

Marc F. Lovecchio, Judge

cc: Kenneth Osokow, Esquire (ADA)
Nicole Spring, Esquire (APD)
Work file
Gary Weber, Esquire (Lycoming Reporter)
Superior Court (original & 1)