

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH : No. CP-41-CR-0000168-2017
Appellant :
vs. : CRIMINAL DIVISION
 :
 :
 :
 :
 :
 : 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 Order entered March 7, 2018, which granted Appellee Ashley Schaeffer's motion to preclude the Appellant from admitting the results of Appellee's blood test with respect to the alleged presence of Buprenorphine, a non-prescribed Schedule III controlled substance, and Norbuprenorphine, a metabolite of Buprenorphine. As explained in the Opinion accompanying that order, the Department has not prescribed minimum levels for these controlled substances; therefore, the court precluded the introduction of this evidence based on the clear and unambiguous language of 75 Pa. C.S. §1747(c)(4).

DATE: _____

By The Court,

Marc F. Lovecchio, Judge

cc: Nicole Ippolito, Esquire and Aaron Gallogly, Esquire (ADAs)
Brian Manchester, Esquire
124 W Bishop Street, Bellefonte PA 16823

Work file
Gary Weber, Esquire (Lycoming Reporter)
Superior Court (original & 1)