

**IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY,
PENNSYLVANIA**

COMMONWEALTH OF PENNSYLVANIA	:	CRIMINAL DIVISION
	:	NO. CR-705-2024
v.	:	
	:	
JAZIAH STRICKLAND,	:	Omnibus Motion
Defendant	:	

OPINION

This matter was before the Court on October 28, 2025, for hearing and argument on Defendant’s Omnibus Motion filed on February 5, 2025¹, by Michael Sullivan, Esquire², on behalf of the Defendant. On May 22, 2025, Krista Deats, Esquire, was appointed as counsel following Attorney Sullivan’s withdrawal from his representation.

I. Procedural Background

Defendant is charged by way of the Criminal Information with two counts of Possession with Intent to Deliver a Controlled Substance³, ungraded felony, one count of Possession of Firearm Prohibited⁴, felony of the second degree, and one count of Receiving Stolen Property⁵, felony of the second degree. These charges arose from a search warrant executed at Defendant’s shared apartment (with girlfriend, Breanna Miller) located at 951 Park Avenue, Apartment #3, Williamsport, Pennsylvania.

¹ Defendant was granted an extension of time for the filing of his Omnibus Motion on July 22, 2024. An additional extension was granted by order on October 21, 2024, without objection from the Commonwealth. The Omnibus hearing was initially scheduled for March 26, 2025. On March 26, 2025, the Commonwealth requested a continuance. The continuance was granted, and the hearing was continued to May 13, 2025.

² On May 5, 2025, Attorney Sullivan filed a Motion for Leave to Withdraw as Counsel. At the time scheduled for the Omnibus on May 13, 2025, the Honorable Nancy L. Butts granted Attorney Sullivan’s Motion to Withdraw as Counsel and rescheduled the Omnibus hearing. On May 22, 2025, Defendant was appointed new counsel, Krista Deats, Esquire. The hearing on the Omnibus Motion was ultimately rescheduled for October 28, 2025.

³ 35 Pa.C.S. §780-113(a)(30).

⁴ 18 Pa.C.S. §6105(a)(1).

⁵ 18 Pa.C.S. §3925(a).

On or around May 16, 2024, Defendant waived his right to have a preliminary hearing, and the charges were bound over for court. On June 17, 2024, Defendant waived his formal arraignment. On February 2, 2025, Defendant filed his Omnibus Motion. Contained in the Omnibus Motion are: (1) A Motion to Suppress Evidence Due to Lack of Probable Cause; (2) A Motion to Suppress Due to Illegal Search and Seizure; (3) A Motion to Compel Discovery; and (4) A Motion to Compel Disclosure of Complete Criminal History of Witnesses: Breanna Miller, Victoria Morrone, Lyric Brown, Confidential Source, and any Promises of Leniency or Leniency Received.

At the hearing on the Omnibus Motion, the Commonwealth submitted the search warrant as Commonwealth's Exhibit No. 1. Without objection, the exhibit was admitted to the record. The Commonwealth presented testimony from Detective Tyson Havens with the Lycoming County Narcotics Enforcement Unit (LCNEU). At the conclusion of the hearing, Defendant requested to submit briefs, with agreement from the Commonwealth, Defendant was provided forty-five (45) days to submit his brief. The Commonwealth was provided two weeks upon the submission of Defendant's brief to respond. Defendant filed a timely brief. The Commonwealth, without objection from the Defendant, filed its brief on April 2, 2026.

II. Factual Background

On April 15, 2024, Victoria Morrone, girlfriend of the Defendant, provided the information used in support of the search warrant. Morrone's statement included allegations that Defendant was selling controlled substances, which he would have his other girlfriend bring to him and Morrone as they waited in Morrone's vehicle from the Park Avenue apartment. Defendant and Morrone would then pick up an unknown white female, drive to Econolodge in Loyalsock Township, and the female would deliver the drugs to someone in

the Econolodge. Morrone provided that Defendant has an agreement with the unknown white female where she delivers the drugs so he does not have to handle the substances.

On that same date, detectives from the LCNEU located Defendant using Morrone's vehicle at the Buffalo Wild Wings restaurant in Loyalsock Township. Defendant dropped Miller at Buffalo Wild Wings and departed. The detectives surveilled Defendant to the Smoke Shop on Hepburn Street where they observe Defendant and a white female, later identified as Lyric Brown, enter the Smoke Shop. Detectives observed Defendant exit the Smoke Shop with a brown paper bag, approach a silver in color Mazda SUV, spoke with the driver for a short period of time, and then stood up and no longer had the brown paper bag in his possession. A traffic stop was conducted on Morrone's Honda HRV being operated by Defendant on the basis that Defendant did not possess a valid driver's license. Defendant was found to be in possession of marijuana, two cellular telephones, identification and credit cards.

On April 17, 2024, detectives conducted a follow up interview with Morrone. Morrone clarified that Miller provided Defendant with a clear, plastic bag of methamphetamine when Defendant and Morrone were in the Honda HRV outside of the Park Avenue apartment. Defendant repackaged the methamphetamine and provided it to the unknown white female. Additionally, Morrone informed detectives that she omitted this information in her first interview because she was scared.

Based on the information provided by Morrone and the vehicle stop of Defendant, a search warrant was obtained and executed at Defendant's Park Avenue apartment on April 18, 2024. Immediately prior to the execution of the search warrant, detectives observed Defendant and Miller exit the front door of the residence and walk to the State Parole Office located on the 300 block of Memorial Avenue, Williamsport, Pennsylvania. Upon arriving at

the State Parole Office, both individuals were detained by LCNEU detectives. Defendant was found to be in possession of a “set of keys” in plain view attached to his belt loop⁶. The keys were removed from his belt loop by an officer and turned over to the detectives for possible use in the execution of the search warrant. Detective Havens testified that he was present for the execution of the search warrant where a safe was located in the residence. Detective Havens testified that the keys seized from Defendant’s person were used to open the safe. Detective Havens testified he does not list individual items and places to be searched on the search warrants, and the request to search the residence and any places where drugs or paraphernalia may be is sufficient. Once the safe was opened with the keys, LCNEU detectives discovered methamphetamine and cocaine, both of which were seized.

III. Defendant’s Motion to Suppress the Search Warrant and Evidence Obtained Therefrom Due to Lack of Probable Cause Contained in the Affidavit

Both the Fourth Amendment of the United States Constitution and Article I, Section 8 of the Pennsylvania Constitution “guarantee individuals freedom from unreasonable searches and seizures.” *Commonwealth v. Bostick*, 958 A.2d 543 (Pa. Super. 2008). Absent an applicable exception, police must have a warrant based on probable cause before they may conduct a search for or seizure of evidence. *Commonwealth v. Heidelberg*, 267 A.2d 492 (Pa. Super. 2021).

In his first contention, Defendant asserts that the Court did not have enough information to make a practical, common-sense decision whether, given all of the facts and circumstances set forth in the affidavit, there was a fair probability that contraband or evidence of a crime would be found in Defendant’s Park Avenue residence. (Defendant’s Brief at 4). Specifically, Defendant contends that the search warrant for the Park Avenue

⁶ The version of facts surrounding Defendant’s detainment and the seizure of the keys was provided in Defendant’s Brief and stipulated to by the Commonwealth in its brief at page 7.

apartment lacks information on the Informant and lacks probable cause for the residence. (Id). Defendant argues the affidavit of probable cause fails to include any indicia of reliability for the statements contained in the affidavit nor for the individuals making the statements. (Id at 5). Additionally, the affidavit is comprised of statements made by individuals with possible biases, prejudices, or ulterior motives. (Id at 6). Defendant takes further issue with there having been no controlled buy conducted to establish prerequisite probable cause to obtain the search warrant for his shared residence. (Id). Defendant argues that the information contained in the affidavit is based on speculation and hearsay, without any corroborating evidence or testimony from the informant, to form the basis for valid probable cause for the search warrant to issue. (Id).

Defendant relies on *Commonwealth v. Manuel*, 194 A.3d 1076 (Pa. Super. 2018) to support his contention that the affidavit contained insufficient information on the Informant. (Def.'s Brief at 4). In *Manuel*, the Court found that the police did not perform sufficient investigation to independently corroborate the confidential informant's information. In *Manuel*, the argument was that the application for a search warrant lacked sufficient probable cause because the police failed to establish the veracity and reliability of the confidential informant. *Manuel*, *supra* at 1080. Additionally, the police lacked independent corroboration of criminal activity. *Id*. The officers' actions in *Manuel* were found to be in violation of the Fourth and Fourteenth Amendments to the United States Constitution and Article I, Section 8 of the Pennsylvania Constitution. *Id*. Moreover, the Court in *Manuel* held that informant's information regarding seeing live and packaged marijuana and accessories for the cultivation thereof was not sufficient to form a substantial basis that probable cause existed to issue and execute the search warrant. (Defendant's Brief at 5 citing *Manuel*, *supra* at 1086). Defendant argues that the lack of any meaningful follow-up investigation here, as in *Manuel*, by the

police to establish independent corroboration of such inside information results in the conclusion that, under the totality of the circumstances, the affidavit does not establish probable cause. (Def.'s Brief at 5 quoting *Manuel, supra* at 1086, "[w]ithout something more, the affidavit of probable cause contained insufficient information to 'reduce the chances of a reckless or prevaricating tale,' and provide 'a substantial basis for crediting the CI's hearsay'").

Defendant further relied on *Commonwealth v. Clark*, 28 A.3d 1284 (Pa. 2011) to contrast what occurred in that case from what occurred in his case. (Defendant's Brief at 4). In *Clark*, the Court held that a tip from an informant "may constitute probable cause where police independently corroborate the tip, or where the informant has provided accurate information of criminal activity in the past, or where the informant himself participated in the criminal activity." (Def.'s Brief at 4 citing *Clark, supra*, at 1288). Under the totality of the circumstances in *Clark*, the Court did evaluate the fact that the police corroborated significant details from the informant's tip by conducting and observing a controlled buy of narcotics that connected precisely with the details provided by the CI. Following that investigative work, the police applied for the search warrant on the basis that their investigation corroborated the informant's information that the appellee was packaging and distributing cocaine out of his residence. (Defendant's Brief at 5-6).

With respect to Defendant's first contention, the Commonwealth argued that all of the facts provided in the affidavit established probable cause "to believe that there was a fair probability that evidence of criminal activity, namely subject illegal drugs and related items, would be found inside Defendant's residence as listed on the search warrant cover sheet." (Commonwealth's Brief at 6). The Commonwealth relies on *Commonwealth v. Torres*, 764 A.2d 535 (Pa. 2001), arguing "[t]hat basis of knowledge and veracity of the individual is

especially vital in cases where the affidavit is almost entirely based on information provided from anonymous sources. Failure to provide information about an anonymous informant's reliability may invalidate a warrant unless the affidavit set forth facts indicating that law enforcement was able to corroborate the information provided.” (Commonwealth’s Brief at 6-7). The Commonwealth further asserts that there is no issue with the information provided by Morrone as the information relates to her reliability. (Id). Specifically, the Commonwealth argued that the reliability of Morrone, and all of the informants named in the affidavit, is irrelevant and a non-issue. Notwithstanding, the Commonwealth asserted that “[e]ven if the witnesses were not named, the LCNEU detectives independently corroborated the information that was provided to them.” (Id at 7). The Commonwealth provided a detailed cross-reference of the facts and identifying information as set forth in the affidavit and compared those descriptors to the observations made by the detectives to support its argument. Specifically, on April 15, 2024, in her initial interview with detectives, Morrone described: (1) that Defendant used her silver Honda HRV to conduct deliveries; (2) that a white female accompanied him on the deliveries; (3) the drugs came from the apartment he shared with Breanna Miller; (3) he carried “a yellow Backwoods cross-draw bag;” and (4) marijuana or methamphetamine packaged in Sour Patch Kids bags. In comparison, LCNEU detectives observed later in the day on April 15, 2024: (1) Defendant operating Morrone’s silver Honda HRV; (2) Defendant dropping Miller off at Buffalo Wild Wings; (3) Defendant entering the Smoke Shop on Hepburn Street with a white female; (4) Defendant carrying a yellow Backwoods cross-draw bag; and (5) Sour Patch Kids packaging containing marijuana inside of the yellow cross-draw bag. On April 17, 2024, LCNEU detectives learned from the State Parole Board that Defendant’s listed address is 951 Park Avenue, Apartment 3, and that the apartment is shared with Breanna Miller. This information corroborates the information

provided by Morrone. (Commonwealth’s Brief 5-6). During the interview with Morrone on April 17, 2024, she advised detectives that she was in Defendant’s residence numerous times and as recently as two weeks prior. (Commonwealth’s Brief at 6). While at his residence, Morrone observed Defendant bring various illegal drugs from the area of his bedroom to the kitchen to package the substances for sale. (Commonwealth’s Brief at 6). The Commonwealth avers that all of the facts provided in the affidavit comprise sufficient probable cause that evidence of criminal activity related to the illegal distribution of controlled substances would be found in Defendant’s residence on Park Avenue. (Id). Thus, the Commonwealth contends that the information provided by Morrone does not need to be evaluated for reliability because she is a named informant; and, notwithstanding, the detectives independently corroborated the information Morrone provided such that the probable cause set forth in the affidavit is sufficient for the search warrant to be found constitutional.

Probable cause is a practical and fluid concept that turns on the assessment of probabilities in particular factual contexts, which cannot readily be reduced to a neat set of legal rules. *Commonwealth v. Rapak*, 138 A.3d 666, 671 (Pa. Super. 2016), quoting *Commonwealth v. Huntington*, 924 A.2d 1252, 1256 (Pa. Super. 2007). Probable cause exists where the facts and circumstances within the affiant’s knowledge and of which he has reasonably trustworthy information are sufficient in themselves to warrant a man of reasonable caution in the belief that a search should be conducted. *Commonwealth v. Leed*, 646 Pa. 602, 186 A.3d 405, 413 (Pa. 2018). Our Supreme Court, in *Commonwealth v. Torres*, opined the following regarding probable cause for search warrants:

Pursuant to the ‘totality of the circumstances test set forth by the United States Supreme Court in [*Illinois v.*] *Gates* [462 U.S. 213, 235, 103 S.Ct. 2317, 76 L.Ed.2d 527 (1983)], the task of an issuing authority is ‘simply make a practical, common-sense decision whether, given all of the circumstances set forth in the

affidavit before him, including the ‘veracity’ and ‘basis of knowledge’ of persons supplying hearsay information there is a fair probability that contraband or evidence of a crime will be found in a particular place.’ *Commonwealth v. Gray*, 509 Pa. 476, 484, 503 A.2d 921, 925 (1986)(quoting *Gates*, 462 U.S. at 238-39, 103 S.Ct. at 2332). Thus, the totality of the circumstances test ‘permits a balanced assessment of the relative weights of all the various indicia of reliability (and unreliability) attending an informant’s tip....’ *Gates*, 462 U.S. at 234, 103 S.Ct. at 2330. It is the duty of a court reviewing an issuing authority’s probable cause determination to ensure that the magistrate had a substantial basis for concluding that probable cause existed. *Gray*, 509 Pa. at 484, 503 A.2d at 925. In so doing, the reviewing court must accord deference to the issuing authority’s probable cause determination, and must view the information offered to establish probable cause in a common-sense, non-technical manner. *Commonwealth v. Jones*, 542 Pa. 418, 668 A.2d 114, 117 (1995)(opinion announcing the judgment of the Court).

Commonwealth v. Torres, 764 A.2d 532, 537-38 (Pa. 2001); see e.g., *Commonwealth v. Jones*, 542 Pa. 418, 668 A.2d 114, 117 (1995)(“The totality of circumstances test was adopted to do away with rigid, precise determinations of probable cause....To require corroboration in every situation would be contrary to the purpose of the totality of circumstances test: allowing flexible, common-sense approach to all the circumstances of an affidavit.”)(internal citations omitted); See also: *Commonwealth v. Manuel*, 194 A.3d 1076, 1081 (Pa. Super. 2018)(probable cause does not demand the certainty we associate with formal trials; rather, it requires only that the totality of the circumstances demonstrate a fair probability that contraband or evidence of a crime will be found in a particular place).

“[A] tip from an unnamed informant can properly form the basis for probable cause, provided there is adequate evidence of the informant’s credibility.” *Commonwealth v. Singleton*, 603 A.2d 1072, 1074 (Pa. Super. 1992). In *Commonwealth v. Jones*, the Pennsylvania Supreme Court opined that “basis of knowledge” may be established when “[t]he information provided by the informant is not a rumor or speculation, but is based upon direct, personal observation[,]” and that “veracity” may be established by independent corroboration under certain limited circumstances. *Commonwealth v. Jones*, 542 Pa. 418, 668 A.2d 114, 117 (1995)(noting also that if [t]he affidavit provides a sufficient basis of knowledge, no corroboration is required[])” and “[a]s to the informant’s veracity, although *Gates* recognized the importance of police corroboration, it did so in the limited circumstance of anonymous tips because the veracity of persons supplying such tips is unknown.”)(internal

citation omitted).

In the instant matter, the Court finds that the affidavit contained in the search warrant set forth sufficient and reliable information such that probable cause existed to warrant the magistrate in the belief that the search of Defendant's Park Avenue residence would produce contraband or evidence of the offense of possession with an intent to deliver. A common-sense, non-technical reading of the search warrant shows that the named informant, Morrone, was an eyewitness to Defendant's activities involving controlled substances. This information alone creates sufficient probable cause for a warrant to be issued. Nonetheless, detectives independently corroborated the information provided by Morrone. On April 15, 2024, Morrone's personal observations provided to detectives included information that Defendant (1) used her silver Honda HRV, (2) packaged controlled substances in Sour Patch Kids bags, (3) carried a yellow Backwoods cross-draw bag, (4) was accompanied by a white female during drug deliveries, and (5) he lived in a 3rd floor apartment on Park Avenue with Miller. This information was independently corroborated by detectives through surveillance, a motor vehicle stop, and additional law enforcement contacts provided verification of Defendant's address (the State Parole Board). On April 17, 2024, Morrone provided a second statement to detectives and relayed her personal observations of Defendant's activity within his residence. Morrone stated that he stores controlled substances in his bedroom and packages the substances at the kitchen table. The warrant application specified a proper basis upon which to believe probable cause that evidence and contraband of drug distribution would be found inside of Defendant's Park Avenue apartment existed; and thus, Defendant's Motion to Suppress for lack of probable cause shall be denied.

IV. Defendant's Motion to Suppress Evidence Due to Illegal Search and Seizure

“The Fourth Amendment of the United States Constitution and Article I, Section 8, of the Pennsylvania Constitution provide that individuals shall be free from unreasonable searches and seizures” by the government. *Commonwealth v. Clark*, 735 A.2d 1248, 1251 (Pa. 1999).

Defendant next argues that the search warrant did not provide for the “set of keys” attached to his person via his belt loop or the safe. Defendant argues that the warrant does seek authority to conduct a search of his person nor does it account for a search at any other location other than the apartment on Park Avenue; thus, Defendant avers that the LCNEU members were not authorized to remove the keys from his person while he was detained at the State Parole Office. Defendant argues the seizure of the keys from his person was beyond the scope of the search warrant. Defendant relies on *Commonwealth v. Eichelberger*, 508 A.2d 589 (Pa. Super. 1986). Defendant argues that LCNEU detectives exceeded the scope of the search warrant which authorized only the search of the residence and not his person because “[i]t is a fundamental rule of law that a warrant must name or describe with particularity the property to be seized and the person or place to be searched.” (Def.’s Brief at 7 citing *Commonwealth v. Eichelberger*, 508 A.2d 589, 592 (Pa. Super. 1986) and *Commonwealth v. Searles*, 302 A.2d 335 (1973)). In *Eichelberger*, the search warrant authorized the search of his home and not his person. (Def.’s Brief at 7). The Superior Court opined that “the mere mention of appellant’s name as owner of the premises to be searched, does not entitle police to search appellant’s person as incident to the search of the premises.” *Commonwealth v. Eichelberger*, 508 A.2d 589, 593 (Pa. Super. 1986). Defendant avers that the facts of his case clearly illustrate “the police had no objectively understandable and reasonable reason for *not* realizing the overbreadth of their warrant.” (Defendant’s Brief at 8

quoting *Commonwealth v. Wilson*, 77 A.2d 913 (1990)). Defendant argues the evidence seized from the safe should be suppressed because the Commonwealth did not provide any information with respect to the “set of keys,” other than the fact that the keys were seized from Defendant at a separate location, to justify the violation of Defendant’s Fourth Amendment rights. (Def.’s Brief at 8). Defendant submits the suppression of the evidence is warranted because the evidence and the keys were seized outside the scope of the original warrant and not subject to a recognized exception to the warrant requirement. (Id).

The Commonwealth argues that the police were permitted to search the locked safe with or without Defendant’s key because the safe was located within the residence. More specifically, the Commonwealth asserted that “the law is very clear that a search warrant to search a premise includes any location within the residence that may contain the objects being searched for.” (Commonwealth’s Brief at 7 relying on *Commonwealth v. Rapak*, 138 A.3d 666 (Pa. Super. 2016)(the law does not require that the information within the search warrant affidavit establish with absolute certainty that the object of the search will be found at the stated location, nor does it demand that the affidavit information preclude the possibility that the sought-after objects may be secreted in another location)). The Commonwealth further argued that the police were permitted to conduct a pat-down search of Defendant at the time he was detained. (Commonwealth’s Brief at 7). At the time of the pat-down, the keys were discovered, and Defendant does not contend that his detainment on April 17, 2024, was unlawful. (Commonwealth’s Brief at 7). Accordingly, the Commonwealth argued that the police are under an obligation to limit property damage while executing a search warrant, and without the keys the detectives would have been justified in destroying the safe to investigate the contents contained therein. (Id). Moreover, the Commonwealth avers that the Court cannot use a finding that the keys were unlawfully

seized as a basis to suppress the contents of the safe. (*Id* at 8). More specifically, the safe was subject to being searched because it was inside of the residence at the time of the search. (*Id*, relying on *Commonwealth v. Petty*, 157 A.3d 953 (Pa. Super. 2017); *Commonwealth v. Irvin*, 134 A.3d 67 (Pa. Super. 2016); *Commonwealth v. Waltson*, 724 A. 2d 289 (Pa. 1998); *Commonwealth v. Turpin*, 216 A.3d 1055 Pa. 2019); *Commonwealth v. Wheatley*, 402 A.2d 1047 (Pa. Super. 1979)). The Commonwealth concludes that a holding contrary to its argument and supporting case law would be to hold that police, upon execution of a search warrant for a specific residence, are required to obtain subsequent search warrants in order to open dresser drawers, shoe boxes, closets, doors, etc., that are otherwise shut within the residence and confine a search to nothing but items that are seen in plain view in the residence.

Here, Defendant did not contest the circumstances of his detainment, and so, the Court must conclude the detainment was constitutionally valid. At the time of Defendant's detainment, detectives were permitted to do a pat down of his person pursuant to *Terry v. Ohio*, 392 U.S. 1 (1968). Defendant avers that the set of keys were in plain view attached to his person, and thus, the seizure thereof may have exceeded the scope of the search incident to arrest because such a search is conducted as a protective sweep of the person to dispel any suspicion that a suspect has concealed on his person a weapon or contraband. *Id*. Nonetheless, the seizure of the keys has no impact on the detectives' search of the safe. As the Commonwealth argued, the safe is a container where evidence of methamphetamine, marijuana, and packaging and distribution materials could be concealed, and thus, the detectives would have been warranted in destroying the safe to search the contents therein pursuant to their valid search warrant.

The Pennsylvania Supreme Court in *Waltson* provided:

a warrant must describe the place to be searched and the items to be seized with specificity, and the warrant must be supported by probable cause. The place to be searched must be described “precise enough to enable the executing officer to ascertain and identify, with reasonable effort, the place intended, and where probable cause exists to support the search of the area so designated, a warrant will not fail for lack of particularity.” *Commonwealth v. Carlisle*, 348 Pa.Super. 96, 501 A.2d 664 (Pa.Super.1985), *aff’d* 517 Pa. 36, 534 A.2d 469 (1987), citing *In re Search Warrant B-21778*, 341 Pa.Super. 350, 491 A.2d 851, 856 (1985), *aff’d* 513 Pa. 429, 521 A.2d 422 (1987)(rejecting attorney's claim that place to be searched in search warrant should have been restricted to his personal office). Thus, where a search warrant adequately describes the place to be searched and the items to be seized the scope of the search “extends to the entire area in which the object of the search may be found and properly includes the opening and inspection of containers and other receptacles where the object may be secreted.”² *Commonwealth v. Reese*, 520 Pa. 29, 549 A.2d 909, 911 (1988).

“Where a search warrant adequately describes the place to be searched and the items to be seized the scope of the search ‘extends to the entire area in which the object of the search may be found and properly includes the opening and inspection of containers and other receptacles where the object may be secreted.’” *Commonwealth v. Irvin*, 134 A.3d 67, 75 (Pa. Super. 2016) (holding the search of the safe located among appellant’s belongings in the residence was fair within the scope of the warrant because it represented a container where money and may have been secreted)(quoting *Commonwealth v. Waltson*, 555 Pa. 223 (1998)).

The application for search warrant and authorization requested permission to search and seize “methamphetamine, marijuana, and related paraphernalia from unlawful drug sales” from “951 Park Ave Apt. #3 (3rd floor apartment), in the City of Williamsport, Lycoming County.” (Commonwealth Exhibit No. 1). The search warrant adequately set forth the place to be searched and the items to be seized with the requisite particularity, and the warrant was supported by sufficient probable cause. In consideration of the parties’ arguments contained in their briefs, a review of the applicable case law, and a review of the

application for search warrant, Defendant's argument that his Fourth Amendment rights were violated with the seizing of the keys and search of the safe such that the evidence requires suppression fails because the collection of the evidence concealed in the safe would have been discovered without keys.

V. Defendant's Two Motions to Compel Discovery

Defendant's Brief contains a provision that he will work with the Commonwealth to obtain any additional discoverable material. (Def.'s Brief at 8). Upon receipt of relevant discovery, Defendant reserves the right to file additional motions to compel discovery if deemed necessary.

Accordingly, the Court enters the following Order:

ORDER

AND NOW, this 9th day of October, 2026, based on the foregoing, Defendant's Omnibus Motion is

- 1). Defendant's Motion to Suppress the Warrant for lack of probable cause is **DENIED**;
- 2). Defendant's Motion to Suppress for Unlawful Search and Seizure is **DENIED**;
- 3). Defendant's Motions to Compel Discovery are **GRANTED**.

By the Court,

Hon. Ryan M. Tira, Judge

RMT/asw

CC: DA; CA;
Krista Deats, Esq.
Gary Weber, Esq.—Lycoming Reporter