

PHILIP GODLEWSKI,  
Plaintiff

v.

CHRIS KELLY, TIMES SHAMROCK  
COMMUNICATIONS, THE SCRANTON  
TIMES-TRIBUNE, LARRY HOLEVA  
Defendants.

IN THE COURT OF COMMON PLEAS  
OF LACKAWANNA COUNTY

CIVIL DIVISION

JURY TRIAL DEMANDED

No.: 2021-CV-2195

MAURI B. KELLY  
LACKAWANNA COUNTY  
2022 AUG -3 A 11:06  
CLERK OF JUDICIAL  
RECORDS CIVIL DIVISION

**DEFENDANTS' MOTION TO COMPEL SUBPOENAED MATERIALS FROM THE  
LACKAWANNA COUNTY DISTRICT ATTORNEY**

AND NOW COMES the Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva, by and through their attorneys, Haggerty Hinton & Cosgrove LLP, and present this Motion to Compel Subpoena Materials from the Lackawanna County District Attorney and in support thereof avers:

1. Plaintiff, Phillip Godlewski, commenced this defamation lawsuit against Defendants by filing a Complaint on May 24, 2021 seeking \$5 Million Dollars.

2. Plaintiff claims Defendants defamed him by publishing an article on February 14, 2021 which stated he had a sexual relationship with a fifteen (15) year old girl back in 2010 when he was at least ten (10) years older than the victim.

3. Criminal charges were filed against Philip Godlewski in 2010 at Case No. 2010-CR-2613 for statutory sexual assault, involuntary deviate sexual intercourse, aggravated indecent assault, unlawful contact with a minor, intimidation of witnesses or victims, criminal use of a communication facility, corruption of a minor, and indecent assault involving a minor female in or before 2010.

4. The criminal charges were prosecuted by the Lackawanna County District Attorney's Office ("LCDAO").

5. The minor victim eventually refused to testify at Phillip Godlewski's preliminary hearing.

6. Plaintiff thereafter pled guilty to corrupting the morals of the minor and he was sentenced on July 11, 2011 to imprisonment/confinement of 3 months to 23 months and ordered to pay costs, fees and restitution of \$1,968.50.

7. Plaintiff is now claiming on social media he never had sexual contact with the minor female in any manner and he pled guilty merely because he talked to the girl verbally to console her after the death of her boyfriend.

8. In the Affidavit of Probable Cause for the Criminal Complaint filed at Case No. 2010-CR-2613, the detectives swore and affirmed to the following facts:

On 02/25/2010 at 2235 GMT time Philip GODLEWSKI 570-780-4567 stated to victim [REDACTED] "I just want you to see that I really care about you, and not your body or our sex. Maybe that's the only way I can"

On 02/25/2010 at 2238 GMT GODKLEWSKI states "I need you [REDACTED], I need you more than anything in my life. I'm going to do everything I can to be with you as soon as I possibly can and "you're my drug and I'm addicted. "I quote a dear friend. Sigh."

On 02/28/2010 at 1922 GMT GODLEWSKI states "The only way we'd ever be sexually satisfied is if we did it like 4-5 times a day"

On 03/06/2010 at 2208 GMT, GODLEWSKI "I hate my penis, idk why the fuck that happens. You looked so good and were giving incredible head than BOOM, gone. Like wtf."

GODLEWSKI typed a 2 page day log with times and entries. GODLEWSKI then gave this log to the victim. The day log includes a detailed account of his activities and thoughts throughout the day. The following are excerpts from the log:

10:14 realized that you-re only 15, but quickly stopped caring

10:34 got sad bcuz we can't officially "go out". I just want everyone to know that I love you<3

11:39 I just pulled [REDACTED] hair from my crotch are. hahahaha!!!

2:56 should we get a Jacuzzi suite? Hmm

3:56 why can't you be 21

5:28 why are we so compatible? I'm 10 years older than you. hmm

(Attached hereto as Exhibit "A" is a true and correct copy of the Criminal Complaint in Case NO. 2010-CR-2613 against Phillip Godlewski with Affidavit of Probable Cause (the name of the minor victim has been redacted).)

9. The Lackawanna District Attorneys Office had issued a search warrant signed by Judge Margaret Moyle on June 17, 2010 to Verizon Wireless for all text messages sent by Phillip Godlewski from Verizon phone number (570) 637-6050.

10. Detective Leri of the LCDAO conducted a forensic exam of the minor victim's cell phone and discovered an additional prepaid cell phone with number (570) 561-8967 reportedly obtained by Phillip Godlewski to converse with the minor victim.

11. On June 26, 2010, Verizon Wireless responded to the search warrant and mailed a CD containing the requested content to the LCDAO.

12. Detective Leri of the LCDAO reviewed a text message reportedly from Godlewski about creating a fake story for law enforcement and directing one of the witnesses to "Lawyer up".

13. The minor victim was on her mother's cell phone plan back in 2010. The victim's mother has advised the undersigned counsel she has none of the text messages between Phillip Godlewski and her daughter at this time.

14. The Defendants served Plaintiff, Phillip Godlewski, with an interrogatory asking whether he has any text messages with the fifteen-year-old victim. Plaintiff responded stating he has "None". (Attached hereto as Exhibit "B" is a true and correct copy of *select pages* from Plaintiff's Response to Defendants' First Set of Interrogatories.)

15. On June 14, 2022, Defense counsel served Verizon Wireless with a Subpoena to produce records and the text messages from Plaintiff's cell phone, including the records it produced in response to the LCDAO's search warrant issued in 2010. (Attached hereto as Exhibit "C" is a true and correct copy of the Subpoena served upon Verizon Wireless.)

16. In response, Verizon Wireless advised defense counsel that the requested records no longer exist at Verizon Wireless. They were destroyed pursuant to its retention policy. (Attached hereto as Exhibit "D" is a true and correct copy of Verizon's letter dated June 21, 2022.)

17. Defense counsel served the Lackawanna County District Attorney Mark Powell with a Subpoena seeking his file in connection with Case No. 2010-CR-2613, including the text messages obtained from Verizon Wireless. (Attached hereto as Exhibit "E" is a true and correct copy of the Subpoena served upon Mark Powell.)

18. DA Powell advised defense counsel that the requested items have been preserved but that an Order of Court would be required in order for his office to release of the requested materials to defense counsel.

19. The text messages sent to or from Phillip Godlewski regarding the minor victim and his alleged crimes cannot be obtained from any source other than the LCDA.

20. The Verizon records and text messages are source records and were not created by law enforcement agents.


21. In filing this Motion, Defendants are not seeking any investigative records created by employees of the LCDA.

WHEREFORE, Defendants, Chris Kelly, Times Shamrock Communications, The Scranton Times-Tribune and Larry Holeva, respectfully request that this Honorable Court enter an Order compelling the release of just the Verizon records that were furnished to the

Lackawanna County District Attorney's Office in response to the 2010 Search Warrant(s).

Date: 8-2-2022

Respectfully submitted,

  
\_\_\_\_\_  
J. Timothy Hinton, Jr.  
**Haggerty Hinton & Cosgrove LLP**  
PA I.D. No. 61981  
1401 Monroe Ave., Suite 2  
Dunmore, PA 18509  
*Attorneys for Defendants,  
Chris Kelly, Times Shamrock  
Communications, The Scranton Times-  
Tribune and Larry Holeva*

**CERTIFICATE OF COMPLIANCE**

I hereby certify that this filing complies with the provisions of the Public Access Policy of the Unified Judicial System of Pennsylvania: Case Records of the Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

*/s/ J. Timothy Hinton, Jr., Esq.*  
**J. TIMOTHY HINTON, JR., ESQUIRE**  
**PA I.D. 61981**

**CERTIFICATE OF SERVICE**

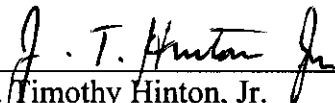
I hereby certify that on this 3<sup>rd</sup> day of August 2022 I caused to be served by First-Class mail, postage prepaid, a true and correct copy of the foregoing Motion to Compel Subpoenaed Materials from the Lackawanna County District Attorney upon the following:

Timothy M. Kolman, Esq.  
414 Hulmeville Ave.  
Pennel, PA 19047  
TKolman@kolmanlaw.com  
*Attorney for Plaintiff*

Mark Powell  
District Attorney of Lackawanna County  
135 Jefferson Ave.  
Scranton, PA 18503

Date: 8-3-2022

Respectfully submitted:

  
\_\_\_\_\_  
J. Timothy Hinton, Jr.  
**Haggerty Hinton & Cosgrove LLP**  
PA I.D. No. 61981  
1401 Monroe Ave., Suite 2  
Dunmore, PA 18509  
Attorneys for Defendants,  
*Chris Kelly, Times Shamrock  
Communications, The Scranton Times-  
Tribune and Larry Holeva*

ORIGINAL

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF: Lackawanna 45-101  
Magisterial District Number: 45-3-04  
MDJ: Hon. Magistrate THEODORE GLOTTI  
Address: 400 Church Street  
Scranton, PA 18403  
Telephone: OLD FORGE VT 1858



**POLICE CRIMINAL COMPLAINT**  
COMMONWEALTH OF PENNSYLVANIA

DEFENDANT: Philip Godlewski  
VS. (NAME and ADDRESS):  
First Name: Philip Middle Name: Last Name: Godlewski Gen.   
 430 Cayuga Street  
Scranton, PA 18508

ORIGINAL  
Do Not Remove From File

NCIC Extradition Code Type:  
 1-Felony Full  4-Felony No Ext.  B-Misdemeanor Limited  E-Misdemeanor  
 2-Felony Ltd.  5-Felony Pend.  C-Misdemeanor Surrounding States  
 3-Felony Surrounding Status  A-Misdemeanor Full  D-Misdemeanor No Extradition  
 Distance: \_\_\_\_\_

**DEFENDANT IDENTIFICATION INFORMATION**

RACE <input checked="" type="checkbox"/> White <input type="checkbox"/> Asian <input type="checkbox"/> Black <input type="checkbox"/> Native American <input type="checkbox"/> Unknown	ETHNICITY <input type="checkbox"/> Hispanic <input checked="" type="checkbox"/> Non-Hispanic <input type="checkbox"/> Unknown	Docket Number	Date Filed 07/09/2010	OTN/LiveScan Number L5705980	Complaint/Incident Number 10-8397
GENDER <input checked="" type="checkbox"/> Male <input type="checkbox"/> Female		DOB 06/26/1983	POB	Add'l. DOB	
SID:		SSN 171-70-1262	Add'l. SSN	AKA	
Request Lab Services? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO		HAIR COLOR <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input checked="" type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green)	<input type="checkbox"/> GRY (Gray) <input type="checkbox"/> ONG (Orange) <input type="checkbox"/> PLE (Purple) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> SDY (Sandy)	<input type="checkbox"/> RED (Red/Aubn.) <input type="checkbox"/> BLN (Blonde / Strawberry) <input type="checkbox"/> WHI (White) <input type="checkbox"/> XXX (Unk./Bald)	EYE COLOR <input type="checkbox"/> BLK (Black) <input type="checkbox"/> BLU (Blue) <input type="checkbox"/> BRO (Brown) <input type="checkbox"/> GRN (Green) <input checked="" type="checkbox"/> HAZ (Hazel) <input type="checkbox"/> MAR (Maroon) <input type="checkbox"/> PNK (Pink) <input type="checkbox"/> MUL (Multicolored) <input type="checkbox"/> UNK (Unknown)
Driver License	State PA	License Number 26468953	Expires: 06/27/2011	WEIGHT (lbs.)	
DNA	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	DNA Location			
FBI Number	MNU Number		FL HEIGHT (in)		
Fingerprint Classification:					

**DEFENDANT VEHICLE INFORMATION**

Plate #	State	Hazmat <input type="checkbox"/>	Registration Sticker (MM/YY)	Comm'l Veh. Ind. <input type="checkbox"/>	School Veh. <input type="checkbox"/>	Oth. NCIC Veh. Code
VIN	Year	Make	Model	Style	Color	

Office of the attorney for the Commonwealth  Approved  Disapproved because:  
Patricia Lafferty Patricia Lafferty  
(The attorney for the Commonwealth may require that the complaint, arrest warrant affidavit, or both be approved by the attorney for the Commonwealth prior to filing. See Pa.R.Crim.P. 507.)  
\_\_\_\_\_  
(Name of the attorney for the Commonwealth) (Signature of the attorney for the Commonwealth) (Date) 7/9/10

I, Det Mancuso/Leri Offc McGovern/Derenick 10/13 MO30200D/MO11086A  
(Name of the Affiant) PSP/MPOETC Assigned Affiant ID Number & Badge #  
of Lackawanna County District Attorney PA0352800  
(Identify Department or Agency Represented and Political Subdivision) (Police Agency ORI Number)

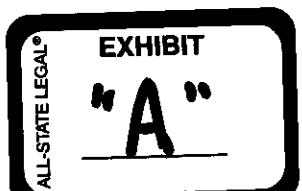
do hereby state: (check appropriate box)

1.  I accuse the above named defendant who lives at the address set forth above  
 I accuse the defendant whose name is unknown to me but who is described as \_\_\_\_\_

I accuse the defendant whose name and popular designation or nickname are unknown to me and whom I have therefore designated as John Doe or Jane Doe

with violating the penal laws of the Commonwealth of Pennsylvania at [ 410-414 ]  
(Subdivision Code) (Place/Political Subdivision)

in Lackawanna County [ 35 ] on or about January 2008-Present  
(County Code)



ST 0608





# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: <b>LS 70598-0</b>	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	1	3122.1		PA Crimes Code	1	F-2		02B
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
**PACC 3122.1 Statutory Sexual Assault F2**

IN THAT, on or about January 2008- present, THE DEFENDANT, Phillip GODLEWSKI did engage in sexual intercourse with minor child [REDACTED], while said person being under the age of 16 years, four or more years younger and not being married to the actor, in violation of Section 3122.1 of the PA Crimes Code. (Felony 2nd degree)

To wit: The defendant, GODLEWSKI, did engage in sexual intercourse with a female which he knew to be under the age of 16 years beginning in 2008 to present.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	2	3123	(a)(7)	PA Crimes Code	1	F-2		170
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
**PACC 3123(a)7 Involuntary Deviate Sexual Intercourse F1**

IN THAT, on or about January 2008 to present , THE DEFENDANT, Phillip GODLEWSKI did engage in deviate sexual intercourse per os or per anus with minor child [REDACTED] while said person being less than 16 years of age, four or more years younger and not being married to Phillip GODLEWSKI, in violation of Section 3123(a)(7) of the PA Crimes Code. (18 P.S. 3123(a)(7) - Felony 1st)

To wit: The defendant, GODLEWSKI, did engage in sexual intercourse, however slight penetration, with a minor female 15 years of age.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	3	3125	(a)(8)	PA Crimes Code	1	F-2		170
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
**PACC 3125(a)(8) Aggravated Indecent Assault F2**

IN THAT, on or about January 2008-present, THE DEFENDANT, Phillip GODLEWSKI did engage in penetration, however slight, of another, namely, minor female child [REDACTED] while said person being under the age of 16 years, four or more years younger and not married to GODLEWSKI, with a part of GODLEWSKI's body for any purpose other than good faith medical, hygienic or law enforcement procedures, in violation of Section 3125(a)(8) of the PA Crimes Code. (18 P.S. 3125(a)(8) - Felony 2nd)

To wit: The defendant, GODLEWSKI, did engage in penetration, however slight, with minor female child [REDACTED]



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 65705980	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	

PennDOT Data (If applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	

PennDOT Data (If applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	3	3125	(a)(8)	of the	PA Crimes Code	1	F-2		170
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	

PennDOT Data (If applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
 [REDACTED] under the age of 16 years old.



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 15705980	Complaint/Incident Number: 10-8397
Defendant Name	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	4	6318	(a) (1)	PA Statute (Title)	1	F-1		
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
 6318. Unlawful contact with a minor.

(a) Offense defined.-A person commits an offense if he is intentionally in contact with a minor for the purpose of engaging in an activity prohibited under any of the following, and either the person initiating the contact or the person being contacted is within this commonwealth.  
 (1) Any of the offenses enumerated in Chapter 31 (relating to sexual offenses).

To wit: The defendant, GODLEWSKI, did engage in sexual contact with a minor female child namely [REDACTED] under the age of 16 years.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	5	4952	(a)(2)	PA Crimes Code	1	F-2		260
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
 PACC 4952(a)(2) Intimidation of Witnesses or Victims

IN THAT, on or about January 2008-present, THE DEFENDANT, Philip GODLEWSKI, with intent to or with knowledge that his conduct would obstruct, impede, impair, prevent or interfere with the administration of criminal justice, did intimidate or attempt to intimidate any witness or victim, namely, thomas NEZLO and [REDACTED] to give any false or misleading information or testimony relating to the commission of any crime to any law enforcement officer, prosecuting official or judge, in violation of Section 4952(a)(2) of the PA Crimes Code. (18 P.S.4952(a)(2) - grading)

GRADING:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	6	7512	(a)	PA CRIMES CODE 0	F1			
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
 PACC 7512. Criminal use of communication facility F1

IN THAT, on or about January 2008-present, the DEFENDANT, Philip Godlewski did use a communication facility to commit, cause or facilitate the commission or the attempt thereof of any crime which constitutes a felony under this title or under the act of April 14, 1972 (P.L.233, No.64), known as The Controlled Substance, Drug, Device and Cosmetic Act.

To wit: The defendant, GODLEWSKI, did use cell phone and internet communications to facilitate the sexual intercourse with a female which he knew to be under the age of 16 years beginning in 2008 to present.



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: <u>L570548-0</u>	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the				
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	5	4952	(a)(2)	of the	PA Crimes Code	1	F-2	260
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

1. The offense is a felony of the degree indicated in paragraphs (2) through (4) if:

- i. The actor employs force, violence or deception, or threatens to employ force or violence, upon the witness or victim or, with the requisite intent or knowledge upon any other person.
- ii. The actor offers any pecuniary or other benefit to the witness or victim or, with the requisite intent or knowledge, to any other person.
- iii. The actor's conduct is in furtherance of a conspiracy to intimidate a witness or victim.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the				
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

ST 0612



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: <u>L5705980</u>	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>			of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	5	4952	(a)(2)	of the	PA Crimes Code	1	F-2	260
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

iv. The actor accepts, agrees or solicits another to accept any pecuniary or other benefit to intimidate a witness or victim.

v. The actor has suffered any prior conviction for any violation of this section or any predecessor law thereto, or has been convicted, under any Federal statute or statute of any other state, of an act which would be a violation of this section if committed in this State.

2. The offense is a felony of the first degree if a felony of the first degree or murder in the first or second degree was charged in the case in which the actor sought to influence or intimidate a witness or victim as

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>			of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (If applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

ST 0613



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 15785980	Complaint/Incident Number: 10-8397
Defendant Name	First: Philip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the				
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	5	4952	(a)(2)	of the	PA Crimes Code	1	F-2	280
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

specified in this subsection.

3. The offense is a felony of the second degree if a felony of the second degree is the most serious offense charged in the case in which the actor sought to influence or intimidate a witness or victim as specified in this subsection.

4. The offense is a felony of the third degree in any other case in which the actor sought to influence or intimidate a witness or victim as specified in this subsection.

5. Otherwise the offense is a misdemeanor of the second degree.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the				
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: <b>L5705980</b>	Complaint/Incident Number: 10-8397
Defendant Name:	First: Philip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	

PennDOT Data (if applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	5	4952	(a)(2)	of the	PA Crimes Code	1	F-2		260
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	

PennDOT Data (if applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:

To wit: The defendant, GODLEWSKI, did instruct the victim to have her tell law enforcement all the conversations they had between them were fake. GODLEWSKI told the victim she is the only one who can get him out of this. The defendant did tell the witness to contact the victim to get their stories straight.

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the					
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code	

PennDOT Data (if applicable)	Accident Number		<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:



# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 1510598-0	Complaint/Incident Number: 10-8397
Defendant Name	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a brief summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	7	6301	(a)(1)	of the PA Crimes Code	1	M-1	230
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
 PACC 6301 (a)(1) Corruption of Minors

IN THAT, on or about January 2008-present, THE DEFENDANT, Phillip GODLEWSKI, being 18 years of age and upwards, did corrupt or tend to corrupt the morals of the victim, [REDACTED] a minor under the age of 18 years, by engaging in acts of sexual intercourse, or aided, abetted, enticed or encouraged a minor in the commission of a crime or knowingly assisted or encouraged such minor in violating his/her parole or court order, in violation of Section 6301(a)(1) of the PA Crimes Code. M-1

To wit: The defendant, GODLEWSKI, did engage in sexual intercourse with a minor child victim under the age of

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>	8	3126	(a)(8)	of the PA Crimes Code	1	M-1	170
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:  
 PACC 3126(a)(8) Indecent Assault M2

IN THAT, on or about January 2008-present, THE DEFENDANT, Phillip GODLEWSKI, did have indecent contact with the complainant and/or did cause the complainant to have indecent contact with the person, and/or intentionally caused the complainant to come into contact with seminal fluid, urine or feces for the purpose of arousing sexual desire in the person or the complainant, namely, [REDACTED] while said person being under the age of 16 years, four or more years younger and not married to the actor, in violation of Section 3126(8) of the PA Crimes Code. (18 P.S. 3126(8) - Misdemeanor-2nd)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A
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<input type="checkbox"/>				of the			
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code

PennDOT Data (if applicable)	Accident Number	<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone
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Statute Description/Acts of the accused associated with this Offense:





# POLICE CRIMINAL COMPLAINT

Docket Number:	Date Filed: 07/09/2010	OTN/Live Scan Number: 15765480	Complaint/Incident Number: 10-8397
Defendant Name:	First: Phillip	Middle:	Last: Godlewski

The acts committed by the accused are described below with each Act of Assembly or statute violated, if appropriate :  
 (Set forth a *brief* summary of the facts sufficient to advise the defendant of the nature of the offense(s) charged. A citation to the statute(s) violated, without more, is not sufficient. In a summary case, you must cite the specific section(s) and subsection(s) of the statute(s) or ordinance(s) allegedly violated.)

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A	
<input type="checkbox"/>	7	6301	(a)(1)	of the PA Crimes Code	1	M-1	230	
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description/Acts of the accused associated with this Offense: 16 years.								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A	
<input type="checkbox"/>	8	3126	(a)(8)	of the PA Crimes Code	1	M-1	170	
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description/Acts of the accused associated with this Offense:  To Wit: The defendant, GODLEWSKI, did have indecent contact with the minor female child under the age of 16 years.								

Inchoate Offense	<input type="checkbox"/> Attempt 18 901 A	<input type="checkbox"/> Solicitation 18 902 A	<input type="checkbox"/> Conspiracy 18 903	<input type="checkbox"/> A1 (Engaging)	<input type="checkbox"/> A2 (Aiding)	<input type="checkbox"/> B (Knowledge)	<input type="checkbox"/> Permitting (Title 75 Only) 75 1575 A	
<input type="checkbox"/>				of the				
Lead?	Offense#	Section	Subsection	PA Statute (Title)	Counts	Grade	NCIC Offense Code	UCR/NIBRS Code
PennDOT Data (if applicable)	Accident Number			<input type="checkbox"/> Safety Zone	<input type="checkbox"/> Work Zone			
Statute Description/Acts of the accused associated with this Offense:								

**POLICE CRIMINAL COMPLAINT**

Docket Number:	Date Filed: 07/09/2010	OTN/Live Scan Number C570548-0	Complaint/Accident Number 10-8397
Defendant Name:	First: Philip	Middle:	Last: Godlewski

2. I ask that a warrant of arrest or a summons be issued and that the defendant be required to answer the charges I have made.
3. I verify that the facts set forth in this complaint are true and correct to the best of my knowledge or information and belief. This verification is made subject to the penalties of Section 4904 of the Crimes Code (18 P.S. §4904) relating to unsworn falsification to authorities.
4. This complaint is comprised of the preceding Page, as well as the attached pages that follow, numbered \_\_\_\_\_ through \_\_\_\_\_, specifying offenses and Participants, if any.


The acts committed by the accused, as listed and hereafter, were against the peace and dignity of the Commonwealth of Pennsylvania and were contrary to the Act(s) of the Assembly, or in violation of the statutes cited. (Before a warrant of arrest can be issued, an affidavit of probable cause must be completed, sworn to before the issuing authority, and attached.)

July 9, 2010 *[Signature]*  
(Date) (Signature of Affiant)

AND NOW, on this date 7/9/10 I certify that the complaint has been properly completed and verified. An affidavit of probable cause must be completed before a warrant can be issued.

45-3-04 *[Signature]*  
(Register/District Court Number) (Issuing Authority)

**CRIMINAL COMPLAINT**

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: L570598-0	Complaint/Incident Number: 10-8397
	First: Philip	Middle:	Last: Godlewski

**AFFIDAVIT of PROBABLE CAUSE**

Your affiant, Detective Michelle Mancuso, has been employed by the Lackawanna County District Attorney's Office since February of 2004. Prior to this service your affiant was employed by the Arizona State Police as a Highway Patrol Officer and a narcotics detective serving on the Southwest Border Alliance Federal Task Force. Most of the time has been spent in the general criminal investigations unit within the county. These duties included assisting local, state and other county law enforcement agencies. Your affiant is currently assigned to the Lackawanna County District Attorney's Office, Special Victims Unit. Your affiant has been involved in investigations of child abuse and child neglect as a Lackawanna County Detective. As a Lackawanna County Detective, your affiant is empowered to apply for, obtain, and serve search warrants, make seizures and arrests in the course of investigations into the violations of various laws of the Commonwealth. Your affiant has attended Child Death and Injury Investigation training provided by the PATC (Public Agency Training Council). Your affiant is currently a member of the Internet Crimes Against Child Taskforce (ICAC) and the Pennsylvania State Police Computer Crimes Unit.

Detective Leri has been a Detective with The Lackawanna County District Attorney's Office since July of 2009.

Detective Leri has a Bachelor of Science Degree in Computer Security from East Stroudsburg University. Affiant Leri was formerly employed as a Computer Forensic Analyst with the New York State Police. He is a member of the Pennsylvania State Police Area II Computer Crime Task for and Pennsylvania Internet Crimes Against Children Task Force( ICAC) Detective Leri has received the following training from the Internet Crimes Against Children's Task Force; Investigative Techniques, Undercover Certification and Advanced training in Peer to Peer file sharing as it related to the online victimization of children.

Detective Leri also has received the following training as it related to computer operating systems and computer forensics:

- Proficient in Computer Forensics (EnCase, Forensic Toolkit, Sleuth Kit, Fat32, NTFS, iPhone forensics, mobile devices), C++, C# and Visual Basic, Operating Systems, Cryptography, Networking, Digital Evidence Seizure/Analysis and Legal Issues in Computer Security
- NSTISSI 4011 - National Training Standard for Information System Security Professionals certificate
- CNSS 4012 - National Assurance Standard for Senior System Managers certificate
- CNSSI 4015 - National Standard for System Certifiers certificate

I, Det Mancuso/Leri Offc McGovern/Derenick, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 9 day of July, 2010  
Philip, Magisterial District Judge

My commission expires first Monday of January, 2012

SEAL

**CRIMINAL COMPLAINT**

Docket Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 65 710598-0	Complaint/Incident Number: 10-8397
Offense:	First: Phillip	Middle:	Last: Godlewski

**AFFIDAVIT of PROBABLE CAUSE**

On March 19, 2010 I met with [REDACTED] at the Children's Advocacy Center to conduct a forensic interview. [REDACTED] came to the CAC with her mother and father. A physical exam was also scheduled for that day.

The interview with [REDACTED] began with a few tears by [REDACTED] [REDACTED] stated she had disclosed some person things that she has been involved with to her mother Linda. [REDACTED] stated she was very upset talking about this situation.

[REDACTED] stated she had been involved in a sexual relationship with Phillip GODLEWSKI. She stated he was a realtor and they met while he was the baseball coach at Riverside High School in 2008. She told me she started talking to GODLEWSKI about the suicide of her boyfriend Joe. [REDACTED] stated she was having a hard time dealing with the loss and he helped her cope with the situation.

[REDACTED] stated the relationship developed into a sexual one during 2008. She stated they were involved in oral and vagina sexual intercourse. She stated it started happening in his vehicle.

On June 15, 2010 this case was handed over to the District Attorney's Office from Taylor Police due to jurisdictional issues.

Between June 9 and 11, 2010 investigators attempted to contact Phillip GODLEWSKI at his place of employment. Several messages were left for him asking him to contact investigators as soon as possible. On June 11, 2010 GODLEWSKI called Det. Mancuso and informed her that he was represented by an attorney from Harrisburg and GODLEWSKI stated he was advised not to talk to me. I contacted the Harrisburg attorney and asked him to contact me after he has had time to talk with GODLEWSKI as of date I have not heard back from the Harrisburg attorney.

On July 5, 2010 Det. Mancuso left a business card at 430 Cayuga Street in Scranton for Dori Gallagher. There was no response on that date.

On July 6, 2010 Det. Mancuso once again left a business card at the residence of Dori Gallagher requesting her to call me at her convenience. This detective received a phone message from GODLEWSKI asking my intentions with Dori. I did not respond to the phone message.

I, Det Mancuso/Leri Offc McGovern/Derenick, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 9th day of July, 2010.  
 Date Phillip, Magisterial District Judge

My commission expires first Monday of January, 2012

SEAL

**CRIMINAL COMPLAINT**

Booklet Number:	Date Filed: 07/09/2010	OTN/LiveScan Number: 157059870	Complaint/Incident Number: 10-8397
Offense and Name:	First: Phillip	Middle:	Last: Godlewski

**AFFIDAVIT of PROBABLE CAUSE**

On July 7, 2010 Detective Chris Kolcharno was driving past 430 Cayuga Street to check and see if there was any activity at the house and he saw Dori Gallagher getting into her vehicle. At this time Detective Kolcharno approached her and asked her if she would be willing to come to the DA's office and talk to Detective's Leri and Mancuso. She agreed to and came into the office. Our intentions with Dori were to see if she had any additional information regarding the relationship with GODLEWSKI and [REDACTED]. Dori Gallagher stated she knew what was going on and did not believe any of the accusations against GODLEWSKI. Dori stated she is engaged to GODLEWSKI and believes he has no contact with [REDACTED] and never had a sexual relationship with him. Gallagher told us the only thing Phil did wrong was falling for a younger girl, and that didn't make him a predator.

On July 7, 2010, due to new information surfacing regarding this case, [REDACTED] was re-interviewed at the DA's Office. Consistent with the request made by GODLEWSKI, [REDACTED] demanded investigators drop the case because she said she was just lying. Det. Mancuso informed [REDACTED] just wanted to talk to her about a few things that had happened between her and NEZLO and GODLEWSKI. [REDACTED] began crying and saying she just wanted to forget everything that happened.

[REDACTED] said she has not had contact with either NEZLO or GODLEWSKI since March. I explained to her I had access, through legal process, to see all phone records including texts and emails on numerous phones involved in this case. [REDACTED] then told me she has been keeping in contact with GODLEWSKI through a throw away phone he keeps with him while at work. She stated to me he has been contacting her while he was at work. Recently [REDACTED] stated he told her he was broken up with Dori and was living with his parents in Taylor. He told [REDACTED] this detective left her business card at his parent's house in Taylor. The both cards were left at the 430 Cayuga Street address. [REDACTED] blurted out to this detective how much of a liar GODLEWSKI is. [REDACTED] confirmed the relationship between her and GODLEWSKI began in approximately 2008 while he was at the Riverside School District as an employee of that school.

Throughout the forensic analysis of the cell phones and computers performed by Cpl Derek Fozard of the Pennsylvania State Police and Detective Justin Leri of the Lackawanna County DA's Office, thousands of text messages from GODLEWSKI to the victim were retrieved. These texts messages contained conversations of sexual encounters, exchanges of gifts and a brand new vehicle for the victim. Such texts contained dialogue similar to these texts to follow:

I, Det Mancuso/Leri Offc McGovern/Derenick, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 9 day of July, 2010.  
 \_\_\_\_\_ Date \_\_\_\_\_, Magisterial District Judge

My commission expires first Monday of January, 2012

SEAL

**CRIMINAL COMPLAINT**

Booklet Number:	Date Filed: 07/09/2010	OTN / LiveScan Number: 1570598-0	Complaint / Incident Number: 10-8397
	First: Phillip	Middle:	Last: Godlewski

**AFFIDAVIT of PROBABLE CAUSE**

On 02/25/2010 at 2235 GMT time Phillip GODLEWSKI 570-780-4567 stated to victim [REDACTED] "I just want you to see that I really care about you, and not your body or our sex. Maybe that's the only way I can"

On 02/25/2010 at 2238 GMT GODKLEWSKI states "I need you [REDACTED], I need you more than anything in my life. I'm going to do everything I can to be with you as soon as I possibly can" and "you're my drug and I'm addicted." "To quote a dear friend. Sigh."

On 02/28/2010 at 1922 GMT GODLEWSKI states "The only way we'd ever be sexually satisfied is if we did it like 4-5 times a day"

On 03/06/2010 at 2208 GMT, GODLEWSKI "I hate my penis, idk why the fuck that happens. You looked so good and were giving incredible head than BOOM, gone. Like wtf."

GODLEWSKI typed a 2 page day log with times and entries. GODLEWSKI then gave this log to the victim. The day log includes a detailed account of his activities and thoughts throughout the day. The following are excerpts from the log:

10:14 realized that you're only 15, but quickly stopped caring

10:34 got sad bcuz we can't officialy "go out". I just want everyone to know that I love you<3

11:39 I just pulled [REDACTED] hair from my crotch are. hahahahalll

2:56 should we get a Jacuzzi suite? Hmm

3:56 why can't you be 21

5:28 why are we so compatible? I'm 10 years older than you . hmm

I, Det Mancuso/Leri Offc McGovern/Derenick, BEING DULY SWORN ACCORDING TO THE LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE FOREGOING AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

Sworn to me and subscribed before me this 9 day of July, 2010  
 Date Phillip, Magisterial District Judge

My commission expires first Monday of January, 2010

SEAL



COMMONWEALTH OF PENNSYLVANIA

COUNTY OF LACKAWANNA

To any authorized person:

In the name of the Commonwealth of Pennsylvania, you are commanded to take into custody

(Name): Phillip Godek  
(Address): 430 Coughlin Street

If the defendant be found in said Commonwealth, and bring the defendant before us at Mag. District 18508  
(Address): Phy. Row 18508  
430 Coughlin Street  
Wethers PA 187403

to answer the Commonwealth or Leak Co. DA's office  
(Political Subdivision)  
upon the complaint or citation of Stat. Sec. 155001  
charging the defendant with 22 rd

and further to be dealt with according to law, and for such purposes this shall be your sufficient warrant.

Witness the hand and official seal of the issuing authority on this 9 day of July, 1910

SEAL [Signature]  
(Signature)

Magisterial District No.: 45-3-04 Amount required to satisfy sentence:

Citation No.: \_\_\_\_\_  
Docket No.: \_\_\_\_\_  
Fines: \$ \_\_\_\_\_  
Costs: \$ \_\_\_\_\_  
Other: \$ \_\_\_\_\_  
Total: \$ \_\_\_\_\_

Amount needed to satisfy collateral: \$ \_\_\_\_\_

Reason for warrant: Felony

AOPC 417-91

RETURN WHERE DEFENDANT IS FOUND

By authority of this warrant \_\_\_\_\_ 19 \_\_\_\_\_

I took into custody the within named

He is now at liberty on bail posted before \_\_\_\_\_

In the \_\_\_\_\_ jail.

before you for disposition.

I accepted a guilty plea and collected \$ \_\_\_\_\_

I accepted a not guilty plea and collected \$ \_\_\_\_\_ for collateral.

I accepted the fine and costs due in the amount of \$ \_\_\_\_\_

(Signature of Officer - Name & Title)  
RETURN WHERE DEFENDANT IS NOT FOUND

After careful search, I cannot find the within named defendant

SIGNATURE \_\_\_\_\_

NAME \_\_\_\_\_

TITLE \_\_\_\_\_

WARRANT OF ARRES

WARRANT CONTROL NO.: \_\_\_\_\_

DOCKET NUMBER: \_\_\_\_\_

COMMONWEALTH OF PENNSYLVANIA

VS

Phillip Godek  
OFFENSE DATE \_\_\_\_\_  
CHARGE \_\_\_\_\_

I acknowledge that I am voluntarily and knowingly pleading guilty. I pay to the officer the fine and costs set in the warrant in the amount of \$ \_\_\_\_\_

(Defendant's Signature)

I acknowledge that I am voluntarily and knowingly pleading not guilty. I paid to the officer the collateral for my appearance at trial stated on the warrant in the amount of \$ \_\_\_\_\_

(Defendant's Signature)

Officer's costs:

Warrant \_\_\_\_\_

Miles @ \_\_\_\_\_

Commitments \_\_\_\_\_

Miles @ \_\_\_\_\_

Conveying to hearing \_\_\_\_\_

Miles @ \_\_\_\_\_

Total \_\_\_\_\_

ST 0623

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION

COUNTY OF LACKAWANNA

Docket Number (Issuing Authority):

Police Incident Number: 10-8397

Warrant Control Number: 10-8397

Det. Chris Kolcharno & Officer Stephen Derenick

Lackawanna County DA's Detectives/Taylor Police

570.963.6717

07-9-2010

AFFIANT NAME

AGENCY

PHONE NUMBER

DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

The personnel file detailing the employment history and resignation of Phillip GODLEWSKI D.O.B. 06/26/1983 from the Riverside School District.

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

Riverside School District Business Office 300 Davis Street Moosic, PA, specifically, the Human Resource Department.

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

David WOODS, Superintendent of the Riverside School District

VIOLATION OF (Describe conduct or specify statute):

PA Title 18 6301 Corruption of Minors / PA Title 18 6318 Unl. Contact with Minor

DATE(S) OF VIOLATION:

January 2008 to Pres.

[X] Warrant Application Approved by District Attorney - DA File No. 10-8397 (If DA approval required per Pa.R.Crim.P. 2002A with assigned File No. per Pa.R.Crim.P. 107)

[X] Additional Pages Attached (Other than Affidavit of Probable Cause)

Patricia K. Coffey

[ ] Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: \_\_\_\_\_

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Det. Chris Kolcharno

Lackawanna County District Attorneys Office Detectives/ Taylor Police Department 1307/ 9512

Signature of Affiant

Agency or Address if private Affiant

Badge Number

Sworn to and subscribed before me this 9th day of July 2010. Mag. Dist. No. 45-3-04

Signature of Issuing Authority

Office Address

400 Church St. 2nd Fl. Archb. Id. PA 18407 (SEAL)

SEARCH WARRANT TO LAW ENFORCEMENT OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

[X] This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than:

[ ] This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: "

11:00 A M, o'clock 7-11-10 2010

\* The Issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 2005(d).

\*\* If the Issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 2006(g).

Issued under my hand this 9th day of July 2010 at 11:00 A M, o'clock.

Signature of Issuing Authority

Mag. Dist. or Judicial Dist. No.

Date Commission Expires:

Title of Issuing Authority: [X] District Justice [ ] Common Pleas Judge [ ]

[ ] For good cause stated in the affidavits(s) the Search Warrant Affidavit(s) are sealed for \_\_\_\_\_ days by my certification and signature. (Pa.R.Crim.P. 2011)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge).

(Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY



Commonwealth of Pennsylvania



**AFFIDAVIT OF  
PROBABLE CAUSE**

**COUNTY OF LACKAWANNA**

Docket Number

Police Incident

Warrant Control

(Issuing Authority):

Number: 10-8409

Number: 10-8409

**PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:**

We, Detective Chris Kolcharno and Officer Stephen Derenick having been duly sworn to law upon our oath depose and say:

**QUALIFICATION CRITERIA**

Your affiant is Detective Chris Kolcharno of the Lackawanna County District Attorney's Office, Special Victim's Unit, and Officer Stephen Derenick of the Taylor Borough Police Department.

Your affiant (Kolcharno) has been a sworn police officer since 1988 and a detective with the District Attorney's Office since June of 2001. I have been a member of the Special Victim's Unit since that time. I have received advanced child abuse training from the following organizations: The Pennsylvania District Attorney's Institute, Fox Valley Technical College / National Center for Missing and Exploited Children, National Children's Advocacy Center at Huntsville, Alabama. The Municipal Police Officer's Education and Training Commission, and MAGLOCLEN (Mid-Atlantic Great Lakes Organized Crime Law Enforcement Network). Affiant Kolcharno has also received training from the Dallas Children's Advocacy Center in Dallas Texas. Affiant Kolcharno has attended training by the Pennsylvania Coalition Against Rape, specifically in the area of drug facilitated sexual assault. I have been trained as a forensic interviewer for children who have been victims of sexual abuse. Affiant Kolcharno has received basic and advanced homicide investigation training from Practical Homicide Investigative Consultants.

Affiant Kolcharno has received training by the Public Agency Training Council on Child Sexual Abuse and specifically typologies of Pedophiles and Child Molesters. I have also attended training from Special Agent Roy Hazelwood, a retired member of the Federal Bureau of Investigation Behavioral Science Unit, Quantico, Va. I have also received consultation on cases dealing with preferential child molesters from S/A Hazelwood.

Affiant Kolcharno is an instructor for the Pennsylvania Municipal Police Officer's Education and Training Commission. Affiant Kolcharno is a certified instructor for Crimes Against Children and Criminal Investigative Analysis. Affiant Kolcharno has lectured at Lackawanna College and Marywood University criminal justice classes in the area of the investigation of child sexual abuse and preferential child molesters.

Affiant Kolcharno is a member of the Pennsylvania State Police Area II Computer Crime Task Force and the Pennsylvania ICAC (Internet Crimes Against Children) Task Force. Affiant Kolcharno has received training in the area of computer crimes from the Pennsylvania State Police Bureau of Criminal Investigation, and specifically in the area of Internet crimes from the National White Collar Crime Center (NW3C) and ICAC.

Officer Stephen Derenick has been a sworn Police Officer since 1987 with the Taylor Police Department. Affiant Derenick has investigated child abuse cases and has received child abuse training from The national center for Missing and Exploited Children, the Chicago Police Department, and the Pegasus Child Advocacy Center Conferences.

This affidavit is made in support of an application for a search warrant to search for and seize instrumentalities, fruits, and evidence of violations of Title 18, Sections 6301. The items that are subject of

the search and seizure applied for in this affidavit are more specifically described on page 1 and page 2 of this search warrant application.

Your affiant believes that there is probable cause to search the above-described premises for such evidence and that such evidence constitutes cooperation for the aforementioned crimes.

**SPECIFIC PROBABLE CAUSE**

Your affiants are investigating Phillip GODLEWSKI for unlawful sexual contact with a sixteen year old female. The sixteen year old female was interviewed at the Children's Advocacy Center of Northeastern PA. During that interview, the victim described a sexual relationship with GODLEWSKI going back two years when the victim was initially fourteen years old.

The victim initially met GODLEWSKI while he was a JV Baseball coach at Riverside High School. The victim's mother approached the school district and notified them of her suspicions of inappropriate contact between the victim and GODLWESKI, as well as GODLEWSKI buying her daughter expensive gifts.

Your affiants learned that GODLEWSKI resigned from the Riverside School District following the allegation by the victim's mother.

Your affiants believe the personnel file will detail the allegations which would cooperate the common scheme ,plan, and design utilized in the last two years by GODLEWSKI in victimizing the victim between the ages of 14-16.

*Nothing to Report*

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

<i>[Signature]</i>	7/8/10	<i>[Signature]</i>	7/9/10
Affiant Signature	Date	Issuing Authority Signature	Date
Page of 1 Pages			

Commonwealth of Pennsylvania



APPLICATION FOR SEARCH WARRANT AND AUTHORIZATION

COUNTY OF LACKAWANNA

Docket Number (Issuing Authority):

Police Incident Number: 10-8397

Warrant Control Number: 10-8397

Det. Justin Leri  
Det. Michelle Mancuso

Lackawanna County DA's Office 570.963.6717

07-08-2010

APPIANT NAME AGENCY PHONE NUMBER DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible):

Any and all detailed billing/subscriber information, call history on 07/07/2010, and TEXT MESSAGE CONTENT on 07/07/2010 on Celco dba Verizon Wireless Cell phone number (570) 561-8967

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.):

Celco dba Verizon Wireless cell phone number: (570)637-6050  
180 Washington Valley Road  
Bedminster, NJ 07921

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description):

Celco dba Verizon Wireless

VIOLATION OF (Describe conduct or specify statute):

PA Title 18 3122 Statutory Sexual Assault

DATE(S) OF VIOLATION:  
07/07/2010

Warrant Application Approved by District Attorney - DA File No. 10-8397  
(If DA approval required per Pa.R.Crim.P. 2002A with assigned File No. per Pa.R.Crim.P. 107)

Additional Pages Attached (Other than Affidavit of Probable Cause)

Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: \_\_\_\_\_

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

*Justin Leri*  
Signature of Affiant

Lackawanna County District Attorneys Office

1310/1313

Signature of Affiant

Agency or Address if private Affiant

Badge Number

Sworn to and subscribed before me this 9 day of July 2010 Mag. Dist. No. 453-04

*Justin Mancuso*  
Signature of Issuing Authority

Office Address

SEARCH WARRANT TO LAW ENFORCEMENT OFFICER:

WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than:

This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: "

11:00 A M, o'clock July 11 2010

\* The Issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 2005(d).

\*\* If the Issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 2006(g).

Issued under my hand this 9 day of July 2010 at 11:00 A M, o'clock.

*Justin Mancuso*  
Signature of Issuing Authority

Mag. Dist. or Judicial Dist. No.

Date Commission Expires:

Title of Issuing Authority:  District Justice  Common Pleas Judge

For good cause stated in the affidavits(s) the Search Warrant Affidavit(s) are sealed for \_\_\_\_\_ days by my certification and signature. (Pa.R.Crim.P. 2011)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge). (Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY

Commonwealth of Pennsylvania



**AFFIDAVIT OF PROBABLE CAUSE**

**COUNTY OF LACKAWANNA**

Docket Number  
(Issuing Authority):

Police Incident  
Number: 10-8397

Warrant Control  
Number: 10-8397

**PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:**

On June 15, 2010, during an ongoing criminal investigation into unlawful sexual contact with a minor, the cell phone and computer of Tom NEZLO were seized by this detective and Detective Leri. We were given information by NEZLO regarding Philip GODLEWSKI and texts he was sending to NEZLO from unknown cell phone number (570)637-6050. Nezlo revealed these texts to contain orders by GODLEWSKI to not talk to law enforcement before contacting GODLEWSKI and the sexual assault victim regarding this investigation. GODLEWSKI stated if he did talk to the police to "Lawyer up". GODLEWSKI was going to check and see if his attorney would represent both of them.

NEZLO stated he got very nervous about the texts being sent by Philip GODLEWSKI so NEZLO deleted the text messages. Verizon will be able to retrieve such text content sent by GODLEWSKI from Verizon Wireless cell phone number (570)637-6050.

On June 17, 2010 a search warrant signed by The Honorable Margaret Moyle, Judge of the Court of Common Pleas of Lackawanna County was faxed to Verizon Wireless for text message content.

On June 25, 2010 Verizon Wireless responded to the search warrant and mailed a CD containing the requested content to Detective Leri.

Detective Leri reviewed the text message and call history content and noted multiple items of interest, including text messages to from GODLEWSKI to NEZLO and text messages to the victim, regarding creating a fake story to law enforcement.

On July 07, 2010 Detective Mancuso re-interviewed the female victim. The victim stated that prior to coming to the Lackawanna County District Attorney's Office she had been receiving text messages from the above listed number, who she identified as belonging to GODLEWSKI. She stated that the text message content was relating to the ongoing investigation from GODLEWSKI. She stated that she had deleted the text messages, as per instruction by GODLEWSKI.

On 07/08/2010 Detective Justin Leri was conducting a forensic exam on the victim's cell phone. detective Leri located a new text sent to the victim. The text content led affiant Leri to believe the number was an additional prepaid cell phone with the number (570) 561-8967, obtained by GODLEWSKI to converse covertly with the victim.

A preservation letter was sent to Verizon Wireless on 07/08/2010 to preserve such content, which is only maintained for three (3) days. Verizon Wireless requires a search warrant prior to release of the above listed text message content.

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

*Det. Justin Leri*  
Affiant Signature

07/09/10  
Date

*[Signature]*  
Issuing Authority Signature

7/9/10  
Date (SEAL)



(e) [Kolman@KolmanLaw.com](mailto:Kolman@KolmanLaw.com) ▪ (t) 215-750-3134 ▪ (f) 215-750-3138

KOLMANLAW.COM

August 20, 2021

Via Email: [timothyhinton@haggertylaw.net](mailto:timothyhinton@haggertylaw.net)

J. Timothy Hinton, Jr., Esquire  
1401 Monroe Ave., Suite 2  
Dunmore PA 18509

**Re: Phillip Godlewski v. Chriss Kelly, Times Shamrock Communications,  
The Scranton Time-Tribune, Larry Holeva.  
Civil Division, Docket No.: 2021-CV-2195**

Dear Counsel:

Please find enclosed Plaintiff's Response to First Set of Interrogatories and Request for Production of Documents in connection with the above-captioned matter. Kindly answer same within the time prescribed by the State Rules of Civil Procedure. If you have any questions or concerns, please feel free to contact the office.

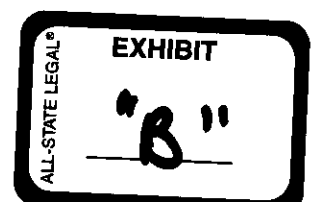
Sincerely,

Kathleen A. Carozza

Kathleen A. Carozza, Paralegal to  
Timothy M. Kolman, Esquire

TMK;/kac

Attachments.



MR GODLEWSKI,  
Plaintiff

v.

CHRIS KELLY, TIMES SHAMROCK  
COMMUNICATIONS, THE SCRANTON  
TIMES-TRIBUNE, LARRY HOLEVA  
Defendants.

IN THE COURT OF COMMON PLEAS  
OF LACKAWANNA COUNTY

CIVIL DIVISION

JURY TRIAL DEMANDED

No.: 2021-CV-2195

**PLAINTIFF'S RESPONSE TO DEFENDANT'S FIRST SET OF  
INTERROGATORIES**

Plaintiff, by and through the undersigned counsel, hereby responds to Defendant's First Set of Interrogatories as follows:

**RESPONSES**

**General Objections**

1. Plaintiff generally objects to Defendant's Interrogatories to the extent they are ambiguous, vague, over-broad, and/or unduly burdensome.
2. Plaintiff generally objects to Defendant's Interrogatories to the extent they seek information protected by the attorney-client privilege and/or the attorney work-product doctrine.
3. Plaintiff generally objects to Defendant's Interrogatories to the extent they improperly seek information that is not relevant to any of the issues in this dispute and/or are not reasonably calculated to lead to the discovery of admissible evidence.
4. Plaintiff generally objects to Defendant's Interrogatories as discovery has not yet closed and this matter has not yet been prepared for trial.
5. Accordingly, these Answers are made without prejudice to Plaintiff's right to amend the answers set forth herein and/or to present additional information that is hereafter obtained or evaluated.
6. Plaintiff generally objects to Defendant's Interrogatories to the extent they cause unreasonable annoyance, embarrassment, oppression, burden, and/or expense.

31. State the names of any people who contacted you since February 14, 2021, who stated they thought Chris Kelly's article published on February 14, 2021 contained lies about you?

**ANSWER: Plaintiff responds that they are in there are hundreds, possibly in their thousands and therefore, naming them is impossible.**

32. Did the 15-year-old victim who was the subject of your 2010 criminal charges touch you in a sexual manner at any time during the years 2008-2010?

**ANSWER: No.**

33. Do you have any letters, emails, or text messages to or from the 15-year-old girl?

**ANSWER: None.**

34. Did you give any gifts to the 15-year-old girl referred to in Defendants' article? If yes, please state what they were and when you gave them to her?

**ANSWER: Plaintiff does not recall giving her any gifts.**

35. Identify all lawsuits in which you have been named as a party since January 1, 2015.

**ANSWER: Plaintiff cannot be sure, absent reviewing the appropriate court docket.**

36. How much money have you raised in donations as of today through Give Send Go or any other platforms to pursue this lawsuit?

**ANSWER: This interrogatory is objected to on the basis it is irrelevant, burdensome, intrusive, and harassing and not directed to lead to the discovery of admissible evidence.**

37. Do you have a listing of the names of all your donors to pursue this lawsuit?

and state:

**ANSWER: Plaintiff has not yet determined which witnesses he will all and what evidence he will submit. By way of further answer, this request is premature and violative of attorney-client privilege and the work product doctrine.**

Each document or tangible object which each witness will be asked to identify.

48. Identify each and every document or tangible object which you intend to introduce at trial.

**ANSWER: See answer to 47 above.**

**KOLMAN LAW P.C.**

*s/ Timothy M. Kolman*

Timothy M. Kolman Esquire  
Attorneys for Plaintiff

August 20, 2021



**VERIFICATION**

The undersigned verifies and certifies that the facts set forth in the attached Response to Defendant's Request for Interrogatories are true and correct to the best of my knowledge, information and belief. The undersigned understands that this Verification is made subject to the penalties of 18 Pa. C.S.A. §4904, relating to unsworn falsification to authorities.

*Phil Godlewski*

\_\_\_\_\_  
Signature

Dated: 8/20/2021

**KOLMAN LAW, P.C.**  
Timothy M. Kolman, Esquire (PA I.D. 51982)  
414 Hulmeville Avenue  
Penndel, PA 19047  
(215) 750-3134

Attorney for Plaintiff  
Philip Godlewski

**PHILIP GODLEWSKI,**

*Plaintiff,*

v.

**CHRIS KELLY, TIMES SHAMROCK  
COMMUNICATIONS, THE  
SCRANTON TIMES-TRIBUNE,  
LARRY HOLEVA**

*Defendants.*

:  
:  
: IN THE COURT OF COMMON PLEAS  
: OF LACKAWANNA COUNTY  
:  
:  
: CIVIL ACTION  
: No.: 2021-CV-2195  
:  
:  
: JURY TRIAL DEMANDED  
:  
:  
:  
:  
:  
:

**CERTIFICATE OF SERVICE**

I hereby certify that on this 20<sup>th</sup> day of August 2021, I caused to be served by e-mail, true and correct copies of Plaintiff's Response to First Set of Interrogatories and Production of Documents with signed verification by the Plaintiff.

Respectfully Submitted,

KOLMAN LAW, P.C.

*/s/ Timothy M. Kolman*

Timothy M. Kolman, Esquire  
414 Hulmeville Ave  
Penndel, PA 19047  
(215) 750-3134  
Attorney for Plaintiff

Dated: August 20, 2021

**HAGGERTY  
HINTON &  
COSGROVE LLP**  
ATTORNEYS AT LAW

Telephone 570-344-9845 • Fax 570-343-9731 • 1401 Monroe Ave., Suite 2, Dunmore, PA 18509 • [hhc@haggertylaw.net](mailto:hhc@haggertylaw.net)

Joseph O. Haggerty, Jr.  
J. Timothy Hinton, Jr.\*  
Michael F. Cosgrove  
Matthew E. Haggerty - Of Counsel

June 14, 2022

**VIA CERTIFIED MAIL  
RETURN RECEIPT**

Cello d/b/a Verizon Wireless  
180 Washington Valley Road  
Bedminster, NJ 07921

RE: Philip Godlewski v. Chris Kelly, et al.  
No. 2021-CV-2195

Dear Sir/Madam:

Enclosed is a Subpoena to Produce Documents or Things for Discovery Pursuant to Rule 4009.22 regarding the above-referenced case. Please respond to this Subpoena within twenty (20) days. Thank you.

Very truly yours,



J. Timothy Hinton, Jr.

JTH;jls  
Encls.



**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Cello dba Verizon Wireless  
 180 Washington Valley Road  
 Bedminster, NJ 07921



9590 9402 7371 2028 4096 14

2. Article Number (Transfer from service label)

7017 1450 0001 2883 8780

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

*Rose Salgado*  
 RECEIVED JUN 1

- Agent
- Address

B. Received by (Printed Name)

Rose Salgado

C. Date of Delivery

- D. Is delivery address different from item 1?  Yes  
 If YES, enter delivery address below:  No

3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Signature Confirmation
- Signature Confirmation Restricted Delivery

COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF LACKAWANNA

Philip Godlewski  
Plaintiffs,

vs.

Chris Kelly, et al.  
Defendants.

File No. 2021-CV-2195

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY**  
**PURSUANT TO RULE 4009.22**

TO: Cellco dba Verizon Wireless, 180 Washington Valley Road, Bedminster, NJ 07921  
(Name of Person or Entry)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

1. Any and all detailed billing/subscriber information, call history and text message content from 1/1/2008 to 12/31/2010 on cell phone numbers: (570) 561-8967, (570) 780-4567 and (570) 637-6050; 2. Any and all records produced by Cellco dba Verizon in response to Search Warrant attached hereto.  
at Haggerty Hinton & Cosgrove LLP, 1401 Monroe Ave., Suite 2, Dunmore, PA 18509  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing copies or producing the things sought.

If you fail to produce the documents or things required by this subpoena within twenty (20) days after its service, the party serving this subpoena may seek a court order compelling you to comply with it.

THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

Name: J. Timothy Hinton, Jr., Esq.  
Address: 1401 Monroe Ave., Suite 2  
Dunmore, PA 18509  
Telephone: (570) 344-9845  
Supreme Court ID #: 61981  
Attorney For: Defendants

BY THE COURT:

Mauri B. Kelly

Mauri B. Kelly  
Clerk of Judicial Records, Civil Division

DATE: 4/16/2021

Seal of the Court



COUNTY OF LACKAWANNA

Docket Number (Issuing Authority): Police Incident Number: 10-8397 Warrant Control Number: 10-8397

Det. Justin Leri Lackawanna County DA's Office 570.963.6717 07-08-2010
Det. Michelle Mancuso

AFFIANT NAME AGENCY PHONE NUMBER DATE OF APPLICATION

IDENTIFY ITEMS TO BE SEARCHED FOR AND SEIZED (Be as specific as possible): Any and all detailed billing/subscriber information, call history on 07/07/2010, and TEXT MESSAGE CONTENT on 07/07/2010 on Cellco dba Verizon Wireless Cell phone number (570) 561-8967

SPECIFIC DESCRIPTION OF PREMISES AND/OR PERSON TO BE SEARCHED (Street and No., Apt. No., Vehicle, Safe Deposit Box, etc.): Cellco dba Verizon Wireless cell phone number: (570)637-6050 180 Washington Valley Road Bedminster, NJ 07921

NAME OF OWNER, OCCUPANT OR POSSESSOR OF SAID PREMISES TO BE SEARCHED (If proper name is unknown, give alias and/or description): Cellco dba Verizon Wireless

VIOLATION OF (Describe conduct or specify statute): PA Title 18 3122 Statutory Sexual Assault DATE(S) OF VIOLATION: 07/07/2010

[X] Warrant Application Approved by District Attorney - DA File No. 10-8397 (If DA approval required per Pa.R.Crim.P. 2002A with assigned File No. per Pa.R.Crim.P. 107)
[ ] Additional Pages Attached (Other than Affidavit of Probable Cause)
[ ] Probable Cause Affidavit(s) MUST be attached (unless sealed below) Total number of pages: \_\_\_\_\_

TOTAL NUMBER OF PAGES IS SUM OF ALL APPLICATION, PROBABLE CAUSE AND CONTINUATION PAGES EVEN IF ANY OF THE PAGES ARE SEALED.

The below named Affiant, being duly sworn (or affirmed) before the Issuing Authority according to law, deposes and says that there is probable cause to believe that certain property is evidence of or the fruit of a crime or is contraband or is unlawfully possessed or is otherwise subject to seizure, and is located at the particular premises or in the possession of the particular person as described above.

Signature of Affiant: Justin Leri Agency or Address if private Affiant: Lackawanna County District Attorneys Office Badge Number: 1310/1313

Sworn to and subscribed before me this 9 day of July 2010 Mag. Dist. No. 45-3-04

Signature of Issuing Authority: Dan Or Chulyp Office Address: 400 Church St (SEAL) 18403

SEARCH WARRANT TO LAW ENFORCEMENT OFFICER: WHEREAS, facts have been sworn to or affirmed before me by written affidavit(s) attached hereto from which I have found probable cause, I do authorize you to search the premises or person described, and to seize, secure, inventory and make return according to the Pennsylvania Rules of Criminal Procedure.

[X] This Warrant shall be served as soon as practicable and shall be served only between the hours of 6AM to 10PM but in no event later than:
[ ] This Warrant shall be served as soon as practicable and may be served any time during the day or night but in no event later than: \*\* 11:00 A M, o'clock July 11 2010

\* The issuing authority should specify a date not later than two (2) days after issuance. Pa.R.Crim.P. 2005(d).
\*\* If the issuing authority finds reasonable cause for issuing a nighttime warrant on the basis of additional reasonable cause set forth in the accompanying affidavit(s) and wishes to issue a nighttime warrant, then this block shall be checked. Pa.R.Crim.P. 2006(g).

Issued under my hand this 9 day of July 2010 at 11:00 A M, o'clock.

Signature of Issuing Authority: Dan Or Chulyp Mag. Dist. or Judicial Dist. No. 45-3-04 Date Commission Expires: Jan 30 18 (SEAL)

Title of Issuing Authority: [X] District Justice [ ] Common Pleas Judge [ ]

[ ] For good cause stated in the affidavits(s) the Search Warrant Affidavit(s) are sealed for \_\_\_\_\_ days by my certification and signature. (Pa.R.Crim.P. 2011)

Signature of Issuing Authority (Judge of the Court of Common Pleas or Appellate Court Justice or Judge) \_\_\_\_\_ (Date) (SEAL)

TO BE COMPLETED BY THE ISSUING AUTHORITY



COUNTY OF LACKAWANNA

Docket Number  
(Issuing Authority):

Police Incident  
Number: 10-8397

Warrant Control  
Number: 10-8397

PROBABLE CAUSE BELIEF IS BASED UPON THE FOLLOWING FACTS AND CIRCUMSTANCES:

On June 15, 2010, during an ongoing criminal investigation into unlawful sexual contact with a minor, the cell phone and computer of Tom NEZLO were seized by this detective and Detective Leri. We were given information by NEZLO regarding Philip GODLEWSKI and texts he was sending to NEZLO from unknown cell phone number (570)637-6050. Nezlo revealed these texts to contain orders by GODLEWSKI to not talk to law enforcement before contacting GODLEWSKI and the sexual assault victim regarding this investigation. GODLEWSKI stated if he did talk to the police to "Lawyer up". GODLEWSKI was going to check and see if his attorney would represent both of them.

NEZLO stated he got very nervous about the texts being sent by Philip GODLEWSKI so NEZLO deleted the text messages. Verizon will be able to retrieve such text content sent by GODLEWSKI from Verizon Wireless cell phone number (570)637-6050.

On June 17, 2010 a search warrant signed by The Honorable Margaret Moyle, Judge of the Court of Common Pleas of Lackawanna County was faxed to Verizon Wireless for text message content.

On June 25, 2010 Verizon Wireless responded to the search warrant and mailed a CD containing the requested content to Detective Leri.

Detective Leri reviewed the text message and call history content and noted multiple items of interest, including text messages to from GODLEWSKI to NEZLO and text messages to the victim, regarding creating a fake story to law enforcement.

On July 07, 2010 Detective Mancuso re-interviewed the female victim. The victim stated that prior to coming to the Lackawanna County District Attorney's Office she had been receiving text messages from the above listed number, who she identified as belonging to GODLEWSKI. She stated that the text message content was relating to the ongoing investigation from GODLEWSKI. She stated that she had deleted the text messages, as per instruction by GODLEWSKI.

On 07/08/2010 Detective Justin Leri was conducting a forensic exam on the victim's cell phone. detective Leri located a new text sent to the victim. The text content led afiant Leri to believe the number was an additional prepaid cell phone with the number (570) 561-8967, obtained by GODLEWSKI to converse covertly with the victim.

A preservation letter was sent to Verizon Wireless on 07/08/2010 to preserve such content, which is only maintained for three (3) days. Verizon Wireless requires a search warrant prior to release of the above listed text message content.

I, THE AFFIANT, BEING DULY SWORN ACCORDING TO LAW, DEPOSE AND SAY THAT THE FACTS SET FORTH IN THE AFFIDAVIT ARE TRUE AND CORRECT TO THE BEST OF MY KNOWLEDGE, INFORMATION AND BELIEF.

*Justin Leri*  
Affiant Signature

07/09/10  
Date

*[Signature]*  
Issuing Authority Signature

7/9/10  
Date (SEAL)



VERIZON SECURITY SUBPOENA COMPLIANCE

180 WASHINGTON VALLEY ROAD

BEDMINSTER NJ 07921

Phone: 800-451-5242 Fax: 888-667-0028

**VERIZON CONFIDENTIAL**

June 21, 2022

HAGGERTY HINTON & COSGROVE LLP  
1401 MONROE AVE STE 2  
DUNMORE PA 18509

Verizon Case #: 22314090  
Docket / File #: 2021-CV-2195  
Requested Target: 570-561-8967,570-637-0050,570-780-4567

Dear J Timothy Hinton, Jr

Verizon Subpoena Compliance is in receipt of the attached request. Please note the following:

(x) The records that you requested no longer exist because they are beyond Verizon's period of retention.

Anabel H  
VERIZON SECURITY SUBPOENA COMPLIANCE





**HAGGERTY  
HINTON &  
COSGROVE LLP**  
ATTORNEYS AT LAW

Telephone 570-344-9845 • Fax 570-343-9731 • 1401 Monroe Ave., Suite 2, Dunmore, PA 18509 • [hbc@haggertylaw.net](mailto:hbc@haggertylaw.net)

Joseph O. Haggerty, Jr.  
J. Timothy Hinton, Jr.\*  
Michael F. Cosgrove  
Matthew E. Haggerty - Of Counsel

October 4, 2021

**VIA CERTIFIED MAIL  
RETURN RECEIPT**

Mark Powell  
District Attorney of Lackawanna County  
135 Jefferson Ave.  
Scranton, PA 18503

Attention: Custodian of Records

RE: Philip Godlewski v. Chris Kelly, et al.  
No. 2021-CV-2195

Dear Custodian of Records:

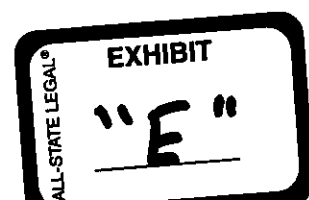
Enclosed is a Subpoena to Produce Documents or Things for Discovery Pursuant to Rule 4009.22 regarding the above-referenced case. Please respond to this Subpoena within twenty (20) days.

Very truly yours,



J. Timothy Hinton, Jr.

JTH:jls  
Encls.



COMMONWEALTH OF PENNSYLVANIA  
COUNTY OF LACKAWANNA

Philip Godlewski  
vs.  
Chris Kelly, et al.  
Plaintiffs,  
Defendants.

File No. 2021-CV-2195

**SUBPOENA TO PRODUCE DOCUMENTS OR THINGS FOR DISCOVERY**  
**PURSUANT TO RULE 4009.22**

TO: Mark Powell, District Attorney of Lackawanna County  
(Name of Person or Entity)

Within twenty (20) days after service of this subpoena, you are ordered by the Court to produce the following documents or things:

The investigation file and all records and materials (including voice recordings and electronic information) relating to all charges filed against Philip Godlewski, 430 Cayuga Street, Scranton, PA 18508 in 2010 for Corruption of Minors, Statutory Sexual Assault, Involuntary Deviate Sexual Intercourse, etc. (Docket No. CR 134-10 and CP 35- CR 2613-2010).  
at Haggerty Hinton & Cosgrove LLP, 1401 Monroe Ave., Suite 2, Dunmore, PA 18509  
(Address)

You may deliver or mail legible copies of the documents or produce things requested by this subpoena, together with the certificate of compliance, to the party making this request at the address listed above. You have the right to seek in advance the reasonable cost of preparing copies or producing the things sought.

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THIS SUBPOENA WAS ISSUED AT THE REQUEST OF THE FOLLOWING PERSON:

Name: J. Timothy Hinton, Jr., Esq.  
Address: 1401 Monroe Ave., Suite 2  
Dunmore, PA 18509  
Telephone: (570) 344-9845  
Supreme Court ID # 61981  
Attorney For: Defendants

BY THE COURT:  
Mauri B. Kelly  
Mauri B. Kelly  
Clerk of Judicial Records, Civil Division

DATE: 10/4/21

Seal of the Court

**SENDER: COMPLETE THIS SECTION**

- Complete items 1, 2, and 3.
- Print your name and address on the reverse so that we can return the card to you.
- Attach this card to the back of the mailpiece, or on the front if space permits.

1. Article Addressed to:

Mark Powell  
 District Attorney of Lackawanna County  
 135 Jefferson Ave.  
 Scranton, PA 18503



9590 9402 4379 8190 6419 14

2. Article Number (Transfer from service label)

7017 1450 0001 2883 9848

PS Form 3811, July 2015 PSN 7530-02-000-9053

**COMPLETE THIS SECTION ON DELIVERY**

A. Signature

x *302 covin 19*

- Agent
- Address

B. Received by (Printed Name)

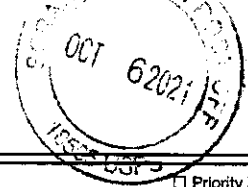
*Dkt Atty*

C. Date of Delivery

*10-6-21*

D. Is delivery address different from item 1? If YES, enter delivery address below:

- Yes
- No



3. Service Type

- Adult Signature
- Adult Signature Restricted Delivery
- Certified Mail®
- Certified Mail Restricted Delivery
- Collect on Delivery
- Collect on Delivery Restricted Delivery
- Insured Mail
- Insured Mail Restricted Delivery (over \$500)
- Priority Mail Express®
- Registered Mail™
- Registered Mail Restricted Delivery
- Return Receipt for Merchandise
- Signature Confirmation
- Signature Confirmation Restricted Delivery

Domestic Return Receipt