

## MOTIONS COURT – CRIMINAL

PLEASE READ ALL OF THE INFORMATION CONTAINED IN THIS PACKET BEFORE YOU START FILLING OUT THE FORMS.

**THIS PACKET DOES NOT CONSTITUTE LEGAL ADVICE. IF YOU HAVE ANY QUESTIONS ABOUT THIS PROCESS, YOU SHOULD SEEK THE ADVICE OF AN ATTORNEY. THE COURT ASSUMES NO RESPONSIBILITY AND ACCEPTS NO LIABILITY FOR ACTIONS TAKEN BY USERS OF THESE DOCUMENTS, INCLUDING RELIANCE ON THEIR CONTENTS.**

We encourage you to contact an attorney to advise you on this matter. If you cannot afford an attorney, you may be eligible for an attorney through the Public Defender's Office. You can call them at (814) 333-7367 or visit their office in the Crawford County Courthouse to apply for their services.

You will be required to follow the Pennsylvania and Crawford County Rules of Criminal Procedure and all applicable laws even if you do not have an attorney.

This motion form is for making requests to the Court regarding your criminal case.

To fill out this motion form, you will need the reason(s) you are filing the motion, and what, exactly, you are requesting from the Court.

On the following page are instructions for completing the Motion form (page 3), as well as the required Notice (page 4).

## INSTRUCTIONS

1. When filling out these forms, please write as clearly and neatly as possible.
2. Fill out these forms to the best of your ability, completing every line that applies. **DO NOT LEAVE ANY LINES BLANK.** Use "None" or "0" if necessary. Do NOT use "N/A" anywhere on the forms.
3. The Defendant's name should be written on the blank lines on the left side of the caption. Be sure the caption is filled out **EXACTLY** the same as on the other documents in your case; you should always have the same name in the same place on each form in your case. The "No." line is for the case number, which was assigned when the original case was filed.
4. When filling out the Motion [page 3], be specific. First explain what you are requesting from the Court, and then explain why you want your request. Leave the second block of lines blank; that section is for the Judge's ruling.
5. When filling out the Notice [page 4]:
  - a. The first part of the Notice is to set the date you will present your motion in Motions Court, **UNLESS** the Motion is being filed with Clerk of Courts as an uncontested motion (see below). Motions Court occurs at 8:45 a.m. every Monday, Wednesday and Friday, excluding holidays; you must request a date for your presentation that is at least three (3) business days after the day you file the Motion.
  - b. The second part is the "Certificate of Notice and Service." You have to serve the Motion and Notice on the Commonwealth at least three (3) business days before you present your motion. You can choose to mail, hand deliver or fax the Motion and Notice. You must mark your choice and write the date that you are mailing, hand delivering or faxing the forms.
  - c. The third part is the "Information for Court Administrator." Please read and answer these questions carefully.
  - d. The fourth part is the "Uncontested Motion Certification." You should fill this section out **ONLY** if you and the Commonwealth agree to the relief requested in the motion. If that is the case, at the top of the "Certificate of Notice and Service" check the line labeled "to the Clerk of Courts as an uncontested matter" and fill in the date you will take your forms to the Clerk of Courts' Office.
6. If the Motion is contested, make two (2) photocopies of the Motion and Notice. Keep one copy for yourself, serve another copy on the Commonwealth as directed in instruction 5(b), and bring the original copy to Motions Court with you on the day you present your argument.
7. If the Motion is uncontested, make three (3) photocopies of the Motion, Notice, and Notice of Language Rights. Keep one copy for yourself, serve another copy on the Commonwealth as directed in instruction 5(b), take one copy clearly marked "COPY" to Court Reception on the fourth floor (Level D) of the Crawford County Judicial Center, and take the original copy to the Clerk of Court's Office on the second floor (Level B) of the Crawford County Judicial Center.

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

v.

NO. \_\_\_\_\_

MOTION FOR \_\_\_\_\_

And now, \_\_\_\_\_, 20\_\_\_\_, the Defendant moves the court

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I verify that the statements made in this motion are true and correct. I understand that false statements herein are made subject to the penalties of 18 Pa.C.S. § 4904, relating to unsworn falsification to authorities.

\_\_\_\_\_ Date

\_\_\_\_\_ signature

ORDER OF COURT

And now, \_\_\_\_\_ 20\_\_\_\_, \_\_\_\_\_

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\_\_\_\_\_ J.

**NOTICE**

You are hereby notified that I will present the attached motion on \_\_\_\_\_,  
month & day  
20\_\_\_\_, [check one:] ( ) to the Clerk of Courts as an uncontested matter, or  
( ) in Motions Court at 8:45 a.m.

CERTIFICATION OF NOTICE AND SERVICE

The undersigned represents that three (3) business days' prior notice and a copy of this motion and proposed order have been served upon the Commonwealth by ( ) first class mail, ( ) fax, or ( ) hand delivery on \_\_\_\_\_, 20\_\_\_\_ in accordance with Pa.R.Crim.P. 575 and Cra.R.Crim.P. 575.

INFORMATION FOR COURT ADMINISTRATOR

- A. Estimated court time required if this matter is granted:  
\_\_\_\_\_ Minutes \_\_\_\_\_ Hours \_\_\_\_\_ Days
- B. Is this motion opposed by the Commonwealth?  
[check one:] \_\_\_\_\_ Yes \_\_\_\_\_ No \_\_\_\_\_ Unknown
- C. Judge previously involved (Sentencing Judge, if applicable):  
\_\_\_\_\_ Vardaro \_\_\_\_\_ Spataro \_\_\_\_\_ Stevens \_\_\_\_\_ Schultz \_\_\_\_\_ other \_\_\_\_\_

UNCONTESTED MOTION CERTIFICATION

The undersigned represents that [mark all that apply]:

- \_\_\_\_\_ 1. The Commonwealth has consented.
- \_\_\_\_\_ 2. The Commonwealth's consent is attached.
- \_\_\_\_\_ 3. The Order seeks only a return hearing or argument date and no other relief.

**I HEREBY CERTIFY ALL OF THE ABOVE STATEMENTS ARE TRUE AND CORRECT.**

By: \_\_\_\_\_

Telephone: (\_\_\_\_) \_\_\_\_\_

IN THE COURT OF COMMON PLEAS OF CRAWFORD COUNTY, PENNSYLVANIA

\_\_\_\_\_  
v. \_\_\_\_\_  
\_\_\_\_\_  
No. \_\_\_\_\_

**CERTIFICATE OF COMPLIANCE**

This form is associated with the pleading titled \_\_\_\_\_, dated \_\_\_\_\_, 20\_\_.

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

Signature \_\_\_\_\_ Date \_\_\_\_\_  
Name: \_\_\_\_\_ Attorney No. (if applicable): \_\_\_\_\_  
Address: \_\_\_\_\_ Telephone: \_\_\_\_\_  
\_\_\_\_\_ Email: \_\_\_\_\_  
\_\_\_\_\_