

IN THE MATTER OF : **IN THE COURT OF COMMON**
PLEAS :
 : **OF ERIE COUNTY, PENNSYLVANIA**
THOMAS BORS, : **JUVENILE DIVISION**
 :
 :
A MINOR : **Docket No. 444 of 2004**

MOTION TO WITHDRAW ADMISSION

AND NOW, this 30th day of December, 2004, comes the above named juvenile, Thomas Bors, by and through his attorney, Ines M. Massella, Assistant Public Defender, and files the within Motion to Withdraw Admission and in support thereof states as follows:

1. Thomas Bors, is a juvenile, sixteen years of age, with a date of birth of November 14, 1988.
2. On February 3, 2004, a charge of Indecent Assault was filed against the juvenile. 18 Pa.C.S.A. § 3126(a)(3).
3. The juvenile, appeared before the Juvenile Court Master on August 13, 2004, and entered an admission to the allegation charged.
4. To the best of the knowledge of the undersigned, the juvenile has not appeared in court for a dispositional hearing in this matter.
5. The undersigned was advised by the juvenile's assigned probation officer that he has not had a dispositional hearing. The officer did not believe he could bring the juvenile to disposition given that the juvenile did deny the allegations to the officer despite the August 2004 admission.

6. Given the foregoing, the undersigned believes and avers that it is in the best interest of the juvenile that he is permitted to withdraw his admission and that an arraignment be scheduled.

7. The Commonwealth has stated that it will examine the record of this matter and, may file written opposition to this Motion.

WHEREFORE, the above-named juvenile, Thomas Bors, respectfully requests that this Honorable Court grant the relief requested herein and permit him to withdraw his admission to the allegation of indecent assault and direct that an arraignment be scheduled.

Respectfully submitted,

Ines M. Massella
Assistant Public Defender
(814)451-6505

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 : **JUVENILE DIVISION**
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O R D E R

AND NOW, to-wit, this ____ day of _____, 200__, it is hereby ORDERED and DECREED that the relief requested in the foregoing Motion be granted. The above-named juvenile, Thomas Bors, is permitted to withdraw his admission. It is further ORDERED that the Juvenile Probation Department shall schedule an arraignment for the juvenile.

BY THE COURT:

John J. Trucilla, J.