

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	: No. 99-10,931
	:
	:
vs.	: CRIMINAL
	:
GILDA BLACK,	: Habeas Corpus
Defendant	:

ORDER

AND NOW, this day of October, 1999, the Court DENIES the defendant's Petition for Habeas Corpus. The Court finds that an intent to kill or cause serious bodily injury can be found in the testimony that the defendant said, "I'm going to kill you, you f—ing slut." The defendant took a substantial step toward killing or seriously injuring the victim when she attacked her with a pair of scissors. The Court notes that the evidence is sufficient for aggravated assault only as an attempt to cause serious bodily injury. The evidence was insufficient to show that serious bodily injury was actually caused.

By The Court,

Kenneth D. Brown, J.

cc: William Miele, Esquire (PD)
Robert Ferrell, Esquire (ADA)
Work file