

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA

: No. 85-10,990

vs.

:  
: CRIMINAL DIVISION

TERRY LENIG,  
Defendant

:  
:  
: Notice of Imminent Default

ORDER

AND NOW, this \_\_\_\_ day of October, 1999, upon consideration of the defendant's "Notice of Imminent Default", it is ORDERED and DIRECTED as follows:

1. Paragraphs 2 & 3 of the motion are MOOT.

William Miele, Esquire is no longer counsel for collection and the defendant has been making payments in the amount of \$50 per month. The district attorney and the defendant agreed to continue that payment schedule until either party asks for a review.

2. The Court rejects the defendant's assertion that the Court lacks jurisdiction to enforce the collection of costs and fines due to the passing of the statute of limitation. The defendant relies on 42 Pa.C.S.A. §5527. This statute, however, governs civil actions. It does not appear to have relevance to the collection of fines and costs arising from a criminal prosecution. Instead, it would appear that 42 Pa.C.S.A. §9728 would be the applicable statute.

By The Court,

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Kenneth D. Brown, J.

cc: Lori Rexroth, Esquire (ADA)  
Terry Lenig