

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	: No. 98-11,368
	:
	:
vs.	: CRIMINAL
	:
JASON SEYLER,	: Motion in Limine
Defendant	:

ORDER

AND NOW, this day of July, 1999, upon consideration of the defendant's Motion in Limine which seeks to compel the complainant to wear the same or similar clothing as she wore on the night in question, said Motion is DENIED. It has been approximately one year since this incident. It is doubtful that the clothing would still fit her given the growth rate of adolescents. It also is likely that the complainant's physical appearance has changed. Moreover, the clothing from the night in question has been subject to DNA testing so it probably is not in any condition to be worn in the courtroom. The Court believes the best way to depict the victim's appearance at the relevant time is through photographs. Therefore, both parties shall diligently search for photos depicting the victim during the time period three months preceding this incident to three months subsequent to this incident. If such photographs are located, the parties shall obtain them and provide a copy to opposing counsel on or before Friday, August 6, 1999.

By The Court,

Kenneth D. Brown, J.