

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA

VS.


\$206.00 U. S. CURRENCY

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CI-19-02469

TO THE CLAIMANT OF THE WITHIN DESCRIBED PROPERTY:

You are required to file an answer to this Petition, setting forth your title in, and right to possession of, said property, within thirty (30) days from the service hereof. You are also notified that if you fail to file said answer a decree of forfeiture and condemnation will be entered against such property.


Cheryl A. Ondechek
Assistant District Attorney

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CIVIL DIVISION

COMMONWEALTH OF PENNSYLVANIA :
:
VS. :
:
\$206.00 U.S. CURRENCY :

C1-19-02469

PETITION FOR FORFEITURE

TO THE HONORABLE, THE JUDGES OF THE SAID COURT:

The Petition of Craig W. Stedman, District Attorney of Lancaster County, by Cheryl A. Ondechek, Assistant District Attorney, respectfully requests the Court to order a forfeiture of the following property.

1. The property seized was \$206.00 in United States Currency; one (1) Verizon LG cell phone; and one (1) Samsung Glaxy Note4 cell phone with charger.

2. The property was seized at approximately 4:25 p.m. on March 22, 2017 at 22 Greythorne Drive, Lancaster, Pennsylvania.

3. The owner of the property is Michael Steven Franco.

4. The person in possession of the property at the time of seizure was Michael Steven Franco.

5. The property is subject to forfeiture pursuant to Section 5802 of the Judicial Code, 42 Pa.C.S.A. 5802, based upon the following averment of material facts:

On or about March 22, 2017, at approximately 4:25 pm., members of the Lancaster County Drug Enforcement Task Force executed a Search Warrant at 22 Greythorne Drive, Lancaster, Pennsylvania, the residence of Michael Steven Franco. Upon their entry into the residence, Detectives located Michael Franco in the first floor bathroom, with the toilet running. It appeared that he had just flushed the drugs. On the floor, Detectives observed clear plastic sandwich bags and raw rice. On the person of Michael Franco, Detectives located \$206.00 in United States Currency.

Detectives commenced their search. On the living room floor, Detectives located one (1) clear corner knotted plastic bag that contained approximately .3 grams of heroin. On top of an ottoman, Detectives found a backpack that contained .01 grams of heroin inside of a blue glassine bag; and one (1) ziplock bag that contained loose raw rice. On the ottoman in the living room, Detectives located a Verizon LG cellular phone. On the living room couch, Detectives located a Samsung Galaxy Note 4, along with the charger.

On the dining room table, Detectives located a digital gram scale. In the kitchen, in a cabinet drawer, Detectives located a digital gram scale. In the basement, Detectives located an open box of sandwich bags.

Detectives opened the plumbing pipes leading from the bathroom toilet on the first floor. In the pipes was a clear ziplock bag that contained sewage water and heroin.

Michael Franco was placed under arrest and transported to the Drug Task Force Office. Subsequently, Michael Franco was charged with Possession of Heroin, Tampering with Physical Evidence, Possession of Drug Paraphernalia and Fugitive from Justice.

On March 30, 2017, all charges were withdrawn, so Michael Steven Franco could be extradited to New York State on a Federal Indictment.

WHEREFORE, the Commonwealth of Pennsylvania respectfully requests Your Honorable Court to issue an Order of Forfeiture that the property be adjudged forfeited to the Commonwealth and condemned, and that it be disposed of according to law.


Respectfully submitted,
OFFICE OF THE DISTRICT ATTORNEY



Cheryl A. Ondechek
Assistant District Attorney

COMMONWEALTH OF PENNSYLVANIA :
: :
COUNTY OF LANCASTER :

Cheryl A. Ondechek, Assistant District Attorney, being duly affirmed according to law, deposes and says that the facts set forth in the foregoing Motion are true and correct to the best of her knowledge, information and belief.

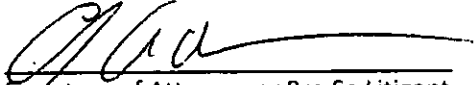

Cheryl A. Ondechek
Assistant District Attorney
Attorney ID #38903

Sworn and subscribed
before me this 8th day
of March, 2019.


COMMONWEALTH OF PENNSYLVANIA

NOTARIAL SEAL
DIANE W. ROBINSON, Notary Public
Lancaster, Lancaster County, PA
My Commission Expires Sept. 30, 2019

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



Signature of Attorney or Pro Se Litigant

Cheryl A. Ondechek

Name

38903

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Note: Parties and attorney of record in a case will have access to this confidential information form. Confidentiality of this information must be maintained.