

IN THE COURT OF COMMON PLEAS OF DAUPHIN COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA, :

v. :

No. CP-22-CR-5165-2011

TIMOTHY MARK CURLEY, :

Defendant. :

**DEFENDANT CURLEY'S MOTION TO JOIN**  
**ARGUMENT IV CONTAINED IN**  
**SCHULTZ'S COMBINED REPLY**

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AND NOW, comes the defendant, Timothy Mark Curley, by and through his attorney, Caroline M. Roberto, Esquire, and respectfully files the following Motion:

1. On or about May 4, 2012, defendant Gary Charles Schultz filed his Combined Reply to Commonwealth's Answers to Defendant's (1) Motion to Quash Count Two; (2) Motion for a Bill of Particulars; and (3) Petition for a Writ of Habeas Corpus and Memorandum of Law in Support of Motion to Quash Count One.

2. At Section IV (pages 17-21) of Schultz's Combined Reply, he argues "Count Two Must Be Quashed Because Penn State Is Not A State Agency And Mr. Schultz Was Not A Public Employee; Therefore, The Extension Provisions Of 42 Pa.C.S. §5552(C)(2) Do Not Apply."

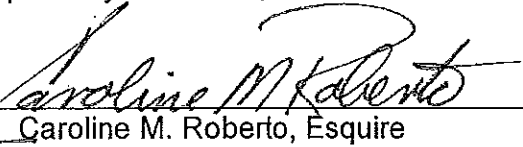
3. Mr. Schultz's arguments regarding the statute of limitations and the inapplicability of the extension provisions apply with equal force in all substantive ways to Mr. Curley.

4. Therefore, by this Motion, Mr. Curley formally requests to join Mr. Schultz's legal argument as stated in his Combined Reply at pages 17-21 for purposes of argument scheduled before this Honorable Court on Thursday, August 16, 2012 and for resolution of this matter.

5. On August 14, 2012, counsel informed Deputy Attorney General Bruce Beemer by email of Mr. Curley's intention to join.

WHEREFORE, Defendant respectfully requests this Honorable Court enter an Order permitting Mr. Curley to join Mr. Schultz's argument.

Respectfully submitted,

By:   
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