

**IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 9 MAL 2020
	:	
Respondent	:	
	:	
	:	Petition for Allowance of Appeal
	:	from the Order of the Superior Court
v.	:	
	:	
	:	
WILLIAM HENRY COSBY JR.,	:	
	:	
Petitioner	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 23<sup>rd</sup> day of June, 2020, the Petition for Allowance of Appeal is **GRANTED, LIMITED TO** the issues set forth below. Allocatur is **DENIED** as to all remaining issues. The issues, as stated by petitioner, are:

- (1) Where allegations of uncharged misconduct involving sexual contact with five women (and a *de facto* sixth) and the use of Quaaludes were admitted at trial through the women's live testimony and Petitioner's civil deposition testimony despite: (a) being unduly remote in time in that the allegations were more than fifteen years old and, in some instances, dated back to the 1970s; (b) lacking any striking similarities or close factual nexus to the conduct for which Petitioner was on trial; (c) being unduly prejudicial; (d) being not actually probative of the crimes for which Petitioner was on trial; and (e) constituting nothing but improper propensity evidence, did the Panel err in affirming the admission of this evidence?
- (2) Where: (a) the Montgomery County District Attorney ("MCDA") agreed that Petitioner would not be prosecuted in order to force Petitioner's testimony at a deposition in Complainant's civil action; (b) the MCDA's Office issued a formal public statement reflecting that agreement; and (c) Petitioner reasonably relied upon those oral and written statements by providing deposition testimony in the civil action, thus forfeiting his constitutional right against self-incrimination, did the Panel err in affirming the trial court's decision to allow not only the prosecution of Petitioner but the admission of Petitioner's civil deposition testimony?