



including the District Attorney himself—suffer from personal conflicts of interest” with regard to the case (Petitioner’s Application to Supplement the King’s Bench Petition, 1 (quoting Petitioner’s King’s Bench Petition)). The petition requested that the case be referred to the Pennsylvania Attorney General due to these alleged conflicts.

2. On December 2, 2019, the District Attorney’s Office filed its answer to the petition, a 36-page response that addressed each and every one of the petition’s allegations, and attached its own exhibits (A-J) to support its points and refute Petitioner’s allegations.

3. Meanwhile, on November 25, 2019, Petitioner filed the present Application seeking to supplement her initial petition with yet another 16 pages of briefing and yet more exhibits (Exhibits O-GG). The proposed supplement contains far-ranging and far-flung allegations that appear to boil down to an assertion that the District Attorney has a conflict of interest because he represented persons who were arrested during protests at the 2000 Republican National Convention in Philadelphia, including protests involving the *Mumia Abu-Jamal* case. The allegations bring to mind criticism that, say, ACLU lawyers have faced for defending the rights of clients who have supported very unpopular causes.

4. The allegations make no sense. Petitioner’s attorneys seem to be saying that because the District Attorney previously represented protestors, and because

some of those protestors advocated “for the freedom and exoneration of Mumia Abu-Jamal” (Petitioner’s Application to Supplement King’s Bench Petition, 14), the District Attorney must agree with their calls for his “freedom and exoneration” and therefore is biased in his favor. One of the obvious fallacies in this logic, of course, is the fact that, as explained in the King’s Bench Response, the District Attorney explicitly asked the PCRA court to *deny* Defendant Cook’s request for post-conviction relief (*see* District Attorney’s Response to the King’s Bench Petition, p. 19 and Exhibits F, G, and H). It is difficult to understand how the District Attorney could be biased in favor of Defendant Cook when he *opposed* Defendant Cook’s request for PCRA relief.

5. The District Attorney opposes the Application to Supplement the King’s Bench Petition because not only is the proposed supplement legally baseless, but everything alleged in it could have been alleged in the initial petition, to which the District Attorney’s Office already has devoted considerable resources in responding.

WHEREFORE, the Philadelphia District Attorney respectfully requests that this Court deny Petitioner's Application for Leave to File Supplement to King's Bench Petition.

Respectfully submitted,

*/s/ Grady Gervino*

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