FILED FOR RECORD BY EMAIL
2026 SEP 16 PM03 42
JEREMY S. BREON
PROTHONOTARY
CENTRE COUNTY, PA

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA	:	
	:	**NO. CP-14-CR-874-2026**
	:	
v.	:	
	:	
AGOSTINO SEBASTIANO ABBATIELLO	:	

TYPE OF PLEADING:
Defendant's Motion for Entry of Pretrial Practice, Case Management and Scheduling Order

FILED ON BEHALF OF:
Agostino Abbatiello, Defendant

Counsel of Record for this Party:

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NO. CP-14-CR-874-2026

vs.

AGOSTINO SEBASTIANO ABBATIELLO

DEFENDANT'S MOTION FOR ENTRY OF PRETRIAL PRACTICE, CASE MANAGEMENT AND SCHEDULING ORDER

AND NOW comes the Defendant, Agostino Abbatiello, by and through his counsel, Philip Masorti, Esquire, Masorti Law, P.C., and respectfully requests that this Honorable Court enter a Pretrial Practice, Case Management and Scheduling Order establishing reasonable deadlines for discovery, pretrial motions, resolution of discovery disputes, trial preparation, and related matters so that this case may proceed in an orderly and timely manner to the presently scheduled **December 7, 2026 jury-selection term**. In support thereof, Defendant avers as follows:

1. A **Preliminary Hearing was held on September 2, 2026**, following which the Defendant was bound over for further proceedings before the Court of Common Pleas of Centre County.
2. The Defendant's formal arraignment is presently scheduled for **September 30, 2026**. The Defendant is represented by counsel and intends to waive formal arraignment in accordance with applicable procedure.
3. The Court has scheduled a **Criminal Pre-Trial Conference for November 16, 2026 at 8:00 a.m.**
4. The Defendant has further been directed to appear for **mandatory jury selection on December 7, 2026 at 8:30 a.m.**

5. **Assuming that the Commonwealth timely and completely produces discovery, the Defendant will be prepared to select a jury on December 7, 2026 and to proceed to trial during the December 2026 Term of Court.** The Defendant affirmatively desires that this matter remain on that schedule and intends to be ready, willing, and able to proceed.

6. **Time is of the essence.** The Defendant intends to fully exercise and insist upon his constitutional and procedural right to a prompt and speedy trial. The continued pendency of these serious criminal charges has imposed substantial stress and hardship upon the Defendant and his family, circumstances that have been further aggravated by the extensive and, at times, excessive public and media attention surrounding this prosecution. The Defendant does not desire, request, or intend to cause unnecessary delay. To the contrary, he seeks to have this matter tried before a Centre County jury at the earliest reasonable opportunity consistent with his right to fully and fairly prepare his defense. **Accordingly, the Defendant preemptively lodges a continuing objection to any request to delay or continue the trial of this case.**

7. The Commonwealth has been investigating the allegations underlying this prosecution for **more than two years** and, following that lengthy investigation, determined that it possessed sufficient evidence and information to establish probable cause to arrest and prosecute the Defendant.

8. During that investigative period, the Commonwealth and its investigative agencies have had substantial opportunity to gather, preserve, organize, test, analyze, and evaluate the evidence upon which this prosecution is based. The defense, by comparison, cannot meaningfully begin its complete evaluation, investigation, preparation of pretrial motions, consultation with experts, preparation of witnesses, and trial preparation until the evidence upon which the Commonwealth intends to rely is produced.

9. **The Defendant is not seeking additional preparation time through postponement of the December trial term. Rather, the Defendant seeks timely access to the information the Commonwealth presently possesses so that the defense may begin its preparation immediately and remain prepared to select a jury on December 7, 2026.**

10. On **September 16, 2026**, the Defendant filed and served upon the Commonwealth a **Comprehensive Informal Request for Discovery**, a true and correct copy of which is attached hereto and incorporated herein as **Exhibit "A."**

11. Through that request, the Defendant has sought prompt production of all discoverable information and materials presently within the possession, custody, or control of the Commonwealth and its investigative agencies, together with continuing supplementation as additional discoverable material becomes available.

12. The Defendant respectfully submits that the production of presently available discovery should not be postponed merely because additional investigation, testing, reports, laboratory analysis, recordings, records, or other materials may remain outstanding. **Presently available discovery should be produced now, with additional discovery produced promptly on a rolling and supplemental basis.**

13. Fundamental fairness requires that the defense be afforded sufficient time to meaningfully review the Commonwealth's evidence, conduct its own investigation, interview and prepare witnesses, obtain any necessary expert review, evaluate laboratory and forensic evidence, prepare appropriate pretrial motions, litigate evidentiary and constitutional issues, and otherwise prepare this matter for trial.

14. At the same time, the Defendant should not be required to sacrifice his desire for a prompt trial simply because discovery is not produced in a timely manner. **The Commonwealth has had more than two years to investigate and develop its case; the defense should now be provided timely access to the evidence generated or obtained during that**

investigation so that it may immediately begin preparing its case for the December trial term.

15. **The Defendant hereby objects in advance to any request by the Commonwealth to continue, delay, or otherwise impede this matter from being tried before a Centre County jury during the December 2026 Term of Court**, absent circumstances constituting good cause that could not reasonably have been anticipated or avoided.

16. The Defendant does not presently anticipate seeking a continuance for purposes of additional trial preparation, provided that the Commonwealth timely and completely fulfills its discovery obligations.

17. Because the timing of discovery directly affects the defense's ability to investigate the allegations and identify and prepare appropriate suppression motions, evidentiary motions, constitutional challenges, expert issues, and other pretrial matters, the establishment of firm discovery and motion deadlines is particularly important in this case.

18. The Defendant therefore requests that the Court establish a definite schedule governing discovery production, supplemental discovery, pretrial motions, responses, expert disclosures, and resolution of discovery disputes so that these matters can be addressed sufficiently in advance of the **December 7, 2026 jury-selection date.**

19. In furtherance of that objective, and in anticipation that judicial intervention may become necessary should discovery remain incomplete or disputed, the Defendant respectfully requests that the Court **reserve or schedule October 20, 2026 for a discovery hearing and/or hearing upon any Motion to Compel that may become necessary**, thereby permitting any unresolved discovery issues to be presented to and resolved by the Court sufficiently in advance of the November Pre-Trial Conference and December trial term.

20. The Defendant makes this request in an effort to avoid delay rather than create it. Establishing a hearing date in advance will provide a meaningful opportunity for

outstanding discovery disputes to be resolved without jeopardizing the existing trial schedule.

21. Entry of a case-specific Pretrial Practice, Case Management and Scheduling Order will provide the parties with clear expectations, promote prompt discovery, facilitate timely resolution of pretrial issues, and substantially reduce the likelihood that either party will later contend that additional time is required because necessary matters were not addressed sufficiently in advance of trial.

22. **The Defendant's objective is straightforward: obtain the discovery necessary to begin preparing the defense now, resolve any legitimate pretrial disputes promptly, select a jury on December 7, 2026, and proceed to trial during the December 2026 Term of Court.**

WHEREFORE, Defendant, Agostino Abbatiello, by and through undersigned counsel, respectfully requests that this Honorable Court:

A. Enter the attached Pretrial Practice, Case Management and Scheduling Order establishing definite deadlines for discovery, supplemental discovery, pretrial motions, responses, expert disclosures, and final trial preparation;

B. Direct that all presently available discoverable material be produced promptly and not withheld until some later final discovery deadline;

C. Require continuing and supplemental production as additional discoverable information becomes available;

D. Reserve or schedule October 20, 2026 for a hearing concerning any unresolved discovery issues and/or any Motion to Compel made necessary by incomplete discovery production;

E. Preserve the Defendant's ability to file appropriate motions arising from discovery first produced after an otherwise applicable motion deadline;

F. Maintain the presently scheduled **November 16, 2026 Criminal Pre-Trial Conference** and **December 7, 2026 jury selection**, with the Defendant prepared to proceed to trial during the December 2026 Term of Court;

G. Note and preserve the Defendant's objection to unnecessary continuance or delay of the December 2026 trial term; and

H. Grant such other relief as this Honorable Court deems just and appropriate.

Discovery Hearing / Motion to Compel

In order to ensure that discovery disputes do not jeopardize the presently scheduled trial term, the Court shall reserve **October 20, 2026**, subject to the Court's availability, for a discovery status hearing and/or hearing upon any Motion to Compel made necessary by incomplete or disputed discovery production. Nothing herein requires the filing of a Motion to Compel if the parties are able to resolve all discovery matters without Court intervention.

Respectfully submitted,
MASORTI LAW, P.C.

Date: 09/16/2026

By: _____

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EXHIBIT A

IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA

NO. CP-14-CR-874-2026

vs.

AGOSTINO SEBASTIANO ABBATIELLO

INFORMAL DISCOVERY REQUEST

Defendant, **Agostino Sebastiano Abbatiello**, by and through his counsel, Masorti Law, P.C., respectfully submits this Informal Discovery Request pursuant to Pa.R.Crim.P. 573(A), 573(B)(1), 573(B)(2), and 573(D), the Due Process Clauses of the United States and Pennsylvania Constitutions, *Brady v. Maryland*, 373 U.S. 83 (1963), *Giglio v. United States*, 405 U.S. 150 (1972), *Napue v. Illinois*, 360 U.S. 264 (1959), *Kyles v. Whitley*, 514 U.S. 419 (1995), and their progeny.

Defendant requests disclosure, inspection, copying and, where appropriate, preservation of the following evidence, information and materials material to the preparation of the defense.

To the extent any specifically identified item requested herein is not subject to mandatory disclosure pursuant to Pa.R.Crim.P. 573(B)(1), Defendant requests voluntary production pursuant to Pa.R.Crim.P. 573(B)(2), because the requested evidence or information has been specifically identified, is material to preparation of the defense, is reasonable in scope and, where applicable, disclosure is in the interests of justice.

TIME IS OF THE ESSENCE / SPEEDY TRIAL

Time is of the essence with respect to the production of the requested discovery. The Defendant intends to fully exercise and insist upon his constitutional and procedural right to a speedy trial. The continued pendency of these serious charges has imposed substantial stress and hardship upon the Defendant and his family, circumstances that have been further aggravated by the extensive and, at times, excessive media attention surrounding this prosecution. The Defendant does not desire, request, or intend to cause unnecessary delay in the disposition of this matter. To the contrary, he desires that this case proceed to trial at the earliest reasonable opportunity and intends to be ready, willing, and able to proceed when called.

This request must also be considered in light of the substantial period of time during which the Commonwealth has investigated this matter. **The Commonwealth has been investigating the allegations underlying this prosecution for more than two years** and, following that lengthy investigation, determined that it possessed sufficient evidence and information to establish probable

cause to arrest and charge the Defendant. During that investigative period, law enforcement and the prosecution have had the opportunity to gather, review, preserve, organize, test, and evaluate the evidence upon which the charges are based. The defense, by contrast, cannot meaningfully begin its complete evaluation and preparation until that evidence is produced through discovery.

The Court's current scheduling notice sets the Defendant's **Criminal Pre-Trial Conference for November 16, 2026**, and specifically requires his appearance for **jury selection on December 7, 2026 at 8:30 a.m.** The Defendant affirmatively requests that this case remain on that schedule and that a jury be selected during the **December 7, 2026 trial term**, with the matter proceeding to trial during that term as directed by the Court. The Defendant and defense counsel therefore intend to prepare this case on the assumption that jury selection and trial will proceed in **December 2026** and do not presently anticipate requesting a continuance for purposes of additional preparation, provided that the Commonwealth timely and completely fulfills its discovery obligations.

The defense recognizes that it must be afforded sufficient time to meaningfully review the Commonwealth's evidence, conduct its own investigation, interview and prepare witnesses, obtain any necessary expert review, evaluate laboratory and forensic evidence, prepare appropriate pretrial motions, litigate evidentiary and constitutional issues, and otherwise fully prepare this matter for trial. At the same time, however, the Defendant does not wish to obtain that preparation time through unnecessary delay or by postponing the presently scheduled December 2026 trial term. **The Defendant wants this case brought to trial promptly and intends to be ready, willing, and able to proceed with jury selection on December 7, 2026.**

Fundamental fairness requires that the defense be provided a reasonable opportunity to prepare its case, but the Defendant should not be required to sacrifice his desire for a prompt trial simply because discovery is not produced in a timely manner. **The Commonwealth has had more than two years to investigate and develop its case; the defense should now be provided access to the evidence generated or obtained during that investigation so that it may immediately begin its own review, investigation, and trial preparation.**

Accordingly, at a minimum, **the defense respectfully requests the immediate production of all discoverable information and materials presently within the possession, custody, or control of the Commonwealth, law enforcement, and any investigative agencies involved in this matter.** The production of materials already available to the Commonwealth should not be delayed merely because additional investigation, testing, reports, recordings, laboratory analysis, or other discovery may remain outstanding. The defense requests that all presently available discovery be produced immediately and that any subsequently obtained, generated, received, or completed discoverable material be produced promptly on a continuing and supplemental basis as it becomes available.

The defense therefore respectfully requests that **discovery production begin immediately and proceed on a rolling basis.** This approach will afford the Defendant the greatest possible opportunity to adequately investigate and prepare his defense while also preserving his intention to proceed during the **December 7, 2026 jury-selection and trial term.** Prompt and complete production serves both interests: it protects the Defendant's ability to fully and fairly prepare his

case while allowing this matter to proceed to trial without unnecessary delay. Any avoidable delay in producing discoverable material risks impairing the defense's ability to proceed on the Court's presently established schedule and could effectively frustrate the Defendant's asserted speedy-trial rights.

For these reasons, **the defense respectfully requests that the Commonwealth treat this discovery request as time-sensitive and provide all presently available responsive materials immediately, with continuing supplementation thereafter, so that the defense may begin its preparations without delay and remain prepared to select a jury on December 7, 2026.**

GENERAL DEFINITIONS AND INSTRUCTIONS

For purposes of these requests, the term **"Commonwealth"** includes the attorney for the Commonwealth and, to the extent required by applicable law, law-enforcement officers, investigators, task-force personnel, agencies, laboratories and other persons participating in, assisting with, or acting on behalf of the prosecution or investigation.

The term **"communication"** includes written, oral and electronic communications, including letters, memoranda, electronic mail, text messages, SMS messages, iMessages, instant or application-based messages, social-media messages, telephone calls, voicemail messages, video calls, notes or memoranda memorializing oral communications, calendar entries and communications made through intermediaries.

The term **"electronically stored information"** includes electronic mail, text and instant messages, documents, photographs, audio, video, metadata, call records, application data, cloud-stored information, forensic extractions, database information and other electronically maintained evidence.

Where responsive electronic material exists in original or native format, Defendant requests production in that format where reasonably practicable, including available metadata material to authentication, completeness, chronology, creation, modification or alteration.

AFFIRMATIVE RESPONSE AND NEGATIVE RESPONSE REQUIREMENT

A specific response is requested as to **each numbered and sub-numbered request** contained herein. Production of some discovery shall not constitute a response to requests for which no responsive material has been produced.

Where responsive material is produced, Defendant requests that the Commonwealth identify the request or requests to which the material relates, whether by Bates number, file name, discovery index or another reasonably identifiable means.

If, after a **diligent and reasonable search and inquiry**, no responsive evidence, information, document, communication, recording, electronically stored information, tangible item or other

material is located, Defendant specifically requests an **affirmative written negative response** to the particular request.

For each request for which responsive material is not produced, Defendant requests that the Commonwealth state, as applicable, whether:

a. no responsive material exists;
b. no responsive material is presently within the possession, custody or control of the Commonwealth or its agents;
c. responsive material is known or believed to have existed but cannot be located after diligent search and reasonable inquiry;
d. responsive material has been lost, destroyed, deleted, overwritten, discarded, purged or otherwise rendered unavailable;
e. the existence or location of responsive material cannot be ascertained after diligent search and reasonable inquiry;
f. responsive material is known to exist in the custody or possession of another person, agency, court, office or entity, in which event Defendant requests identification of the custodian to the extent known and legally permissible; or
g. responsive material exists but is being withheld, redacted or otherwise not produced, in which event Defendant requests identification of the legal basis for nondisclosure to the extent permitted by law.

Any negative response is requested to reflect that reasonable inquiry has been made of the prosecutors, law-enforcement officers, investigators, agencies, laboratories and other members of the prosecution team reasonably likely to possess responsive information.

Silence, omission, partial production, or the mere absence of responsive material from a discovery production shall not be understood by Defendant as an affirmative representation that responsive material does not exist.

Where responsive material has already been produced, duplicate production is unnecessary provided the Commonwealth identifies where the responsive material may be located within the discovery previously supplied.

Where material is redacted, Defendant requests preservation of the complete un-redacted original and identification of the basis for the redaction to the extent permitted by law.

If information that was the subject of a negative response is subsequently discovered, received, recovered, located or created, Defendant requests prompt supplemental disclosure pursuant to Pa.R.Crim.P. 573(D).

REQUESTS FOR DISCOVERY

1. Charging and Initiating Documents

Copies of all criminal complaints, amended criminal complaints, affidavits of probable cause, arrest warrants, summonses, informations, amended informations, indictments, presentments,

applications, returns, inventories and other charging or initiating documents prepared, issued or filed in connection with this investigation or prosecution.

2. Favorable, Exculpatory, Mitigating and Impeachment Evidence

Any and all evidence or information favorable to Defendant or material to guilt, punishment, mitigation, impeachment or any recognized defense, including evidence that:

a. Defendant did not commit or participate in conduct attributed to him;
b. another person committed, directed, organized, supplied, possessed, financed or controlled conduct or controlled substances attributed to Defendant;
c. contradicts or materially weakens an allegation contained in any criminal complaint, affidavit of probable cause, presentment, information, police report or Commonwealth witness statement;
d. materially conflicts with testimony expected from any Commonwealth witness;
e. supports a materially different characterization of Defendant's role in the alleged activity; or
f. otherwise constitutes favorable evidence within the meaning of Brady, Giglio, Napue, Kyles, and their progeny.

3. Defendant's Statements

Any written, recorded or oral statement allegedly made by Defendant, whether inculpatory, exculpatory or otherwise, including:

a. the substance of any oral statement;
b. the identity of the person or persons to whom the statement allegedly was made;
c. audio and video recordings;
d. body-worn-camera recordings;
e. interrogation or interview recordings;
f. reports, summaries or notes memorializing the statement; and
g. transcripts or translations.

4. Defendant's Criminal Record

Defendant's prior criminal record and any criminal-history compilation the Commonwealth intends to use at trial, during cross-examination, at sentencing or for any other evidentiary purpose.

5. Identification Evidence

The circumstances and results of every identification or attempted identification of Defendant by voice, photograph, video, lineup, show-up, in-person observation or other means, including:

a. photographs, photo arrays or videos displayed to witnesses;
b. instructions provided to witnesses;
c. recordings of identification procedures;
d. reports and notes;
e. failures to identify Defendant;
f. identification or misidentification of another individual;
g. expressions of uncertainty;

h. confidence statements; and

i. prior descriptions supplied by the identifying witness.

6. Witness Statements

The names and addresses of eyewitnesses and, to the extent discoverable, all written or recorded statements and substantially verbatim oral statements made by eyewitnesses or other witnesses. This request includes exculpatory or impeachment statements regardless of whether the Commonwealth presently intends to call the declarant as a witness.

7. Co-Defendant, Co-Conspirator and Accomplice Statements

All written and recorded statements and substantially verbatim oral statements by any co-defendant, alleged co-conspirator, accomplice or alleged participant, whether charged or uncharged, relating to Defendant, the investigation, the alleged conspiracy or the factual allegations underlying the charges.

8. Prior Testimony, Proffers and Debriefings

The existence and identification of every occasion upon which any Commonwealth witness, cooperating witness, confidential informant, co-defendant, alleged co-conspirator or accomplice testified or provided a formal, recorded or memorialized account concerning Defendant or this investigation, including:

a. preliminary-hearing testimony;

b. grand-jury testimony;

c. testimony in any court proceeding;

d. proffers;

e. cooperation sessions;

f. debriefings;

g. investigative interviews;

h. bail proceedings;

i. suppression or other judicial proceedings.

j. initial interviews including introductions and prefatory conversations.

9. Police and Investigative Reports

The complete police reports of investigation and all supplemental reports, chronological reports, surveillance reports, task-force reports, debriefing reports, evidence reports, corrected reports, amended reports and reports later superseded. To the extent discoverable or constitutionally required, Defendant further requests factual material contained in contemporaneous rough notes, handwritten notes and other records reflecting exculpatory information, material impeachment information or statements materially inconsistent with a formal report.

10. Inconsistent Statements, Omissions and Retractions

Any evidence reflecting a retraction, contradiction, deviation, material omission or material inconsistency by any witness, cooperating witness, confidential informant, co-defendant or alleged co-conspirator concerning:

a. Defendant;
b. any alleged drug transaction;
c. the source of controlled substances;
d. possession or ownership of controlled substances;
e. money exchanged;
f. the identity or role of participants;
g. the alleged conspiracy or organizational structure; or
h. any other material fact.

11. Criminal Exposure and Governmental Leverage Over Witnesses

Any discoverable information concerning criminal convictions, pending charges, potential charges, outstanding warrants, probation, parole, supervision, investigations or other governmental action materially relevant to the bias, interest, motive or credibility of any Commonwealth witness, cooperating witness or confidential informant. This request includes any matter over which the Commonwealth or another governmental authority has exercised, offered, discussed or reasonably could be perceived by the witness as exercising influence.

12. Criminal Histories of Co-Defendants and Witnesses

The complete criminal history, to the extent within the possession, custody or control of the Commonwealth or otherwise subject to disclosure under applicable law, of every co-defendant, alleged co-conspirator, accomplice, cooperating defendant, cooperating witness, confidential informant, and other witness whom the Commonwealth may call or whose statements the Commonwealth intends to rely upon in this prosecution. This request includes, without limitation:

a. arrests;
b. criminal charges;
c. convictions;
d. guilty or nolo contendere pleas;
e. pending criminal cases;
f. outstanding warrants;
g. probation or parole status;
h. pending probation or parole violations;
i. criminal matters awaiting sentencing;
j. diversionary dispositions where legally discoverable;
k. charges that were dismissed, withdrawn, reduced or otherwise resolved where such information is material to bias, motive, credibility, cooperation or favorable treatment;
l. Pennsylvania and out-of-state criminal-history information available to the Commonwealth; and
m. any other criminal justice information material to impeachment, bias, motive, interest, cooperation, favorable treatment or credibility.

Defendant specifically requests disclosure of criminal-history information concerning every co-defendant and Commonwealth witness, whether or not the Commonwealth presently believes such information is admissible at trial, where the information may reveal bias or motive, governmental leverage, favorable treatment, or otherwise constitute discoverable impeachment or favorable evidence.

If no responsive criminal history is located as to a particular co-defendant or witness, Defendant requests an affirmative written negative response identifying that individual and stating that no responsive criminal-history information was located following diligent search and reasonable inquiry.

13. Plea Agreements, Cooperation Agreements and Understandings

Any and all agreements, understandings, negotiations, discussions, offers, promises, inducements, representations, expectations or arrangements, whether formal or informal, written or oral, express or implied, between the Commonwealth, any prosecutor, investigator, law-enforcement officer or governmental agent and any co-defendant, alleged co-conspirator, accomplice, cooperating witness, confidential informant, cooperating individual, or any attorney representing such person. This request includes any agreement, understanding or communication concerning:

a. a guilty plea or negotiated disposition;
b. cooperation or testimony;
c. immunity;
d. non-prosecution;
e. dismissal, withdrawal or reduction of charges;
f. charging decisions;
g. sentencing recommendations;
h. sentence reductions;
i. probation or parole treatment;
j. bail or release;
k. modification of release conditions;
l. forfeiture;
m. monetary payments;
n. assistance concerning another prosecution or jurisdiction;
o. favorable treatment afforded to another person; or
p. any other benefit, concession, consideration, promise or expectation of favorable treatment.

This request applies whether the agreement or understanding has been reduced to writing, formally accepted, approved by a court, consummated, or characterized by the Commonwealth as a plea agreement or cooperation agreement.

14. Communications Concerning Cooperation or Favorable Treatment

All communications between prosecutors or investigators and any co-defendant, cooperating witness, alleged co-conspirator, accomplice, confidential informant or counsel representing such person concerning cooperation, testimony, plea negotiations, charging decisions, sentencing, bail, release, immunity, non-prosecution, forfeiture, or any actual, contemplated, promised or expected benefit, concession or favorable treatment. Nothing herein is intended to seek protected attorney mental impressions. Defendant seeks the underlying statements, factual communications, promises, representations, agreements and understandings material to credibility, bias, motive or interest.

15. Bail and Custodial Treatment of Cooperating Persons

Any record or communication reflecting favorable treatment afforded, requested, discussed, recommended or contemplated concerning the bail or custodial status of any co-defendant, cooperating witness or alleged co-conspirator, including:

a. Commonwealth recommendations;
b. agreements or non-opposition to release;
c. bail reductions;
d. modifications of release conditions;
e. release from detention;
f. communications with counsel regarding bail; and
g. any relationship between cooperation and custodial status.

16. Other Benefits, Payments and Consideration

Any consideration, payment or benefit provided or promised to a witness or to a person of concern to that witness, including:

a. monetary payments;
b. rewards;
c. witness fees beyond ordinary statutory fees;
d. reimbursement of expenses;
e. relocation;
f. housing;
g. transportation;
h. assistance concerning immigration, employment or another governmental matter;
i. return or retention of property;
j. forfeiture concessions; and
k. promises to communicate cooperation to a court, prosecutor, probation officer, parole authority or other governmental body.

17. Impeachment and Giglio Material

Any evidence materially bearing upon the credibility of a Commonwealth witness, including:

a. prior materially false statements;
b. materially inconsistent statements;
c. fabrication;
d. dishonesty;
e. bias;
f. motive;
g. benefits and inducements;
h. prior materially unreliable information supplied as an informant;
i. falsification of reports or records;
j. evidence-handling misconduct material to the case; and
k. sustained findings or other information subject to disclosure under applicable law materially bearing upon truthfulness, integrity or credibility.

18. Law-Enforcement Credibility, Disciplinary and Internal-Affairs Material

To the extent subject to disclosure under Brady, Giglio or other applicable law, any information concerning a law-enforcement witness or investigator that materially bears upon credibility, truthfulness, bias, integrity, evidence handling or reliability, including sustained disciplinary findings, internal-affairs findings, judicial findings, or other material information concerning false statements, false reporting, fabrication, coercion, improper evidence handling, material chain-of-custody failures, or other conduct reasonably usable for impeachment.

19. Witness Ability to Perceive or Recall

Any non-privileged evidence known to the Commonwealth demonstrating that, at a material time, a witness's ability accurately to perceive, remember, communicate or recount relevant events was materially impaired by intoxication, drug use, a medical condition, psychological condition or other circumstance. Defendant does not seek privileged medical or treatment records absent an independent lawful basis for production.

20. Confidential Informants and Cooperating Sources

To the extent discoverable, all records materially concerning any confidential informant, cooperating source or cooperating defendant whose information relates to Defendant or the offenses charged, including:

a. instructions;
b. payments;
c. expense reimbursements;
d. benefits;
e. criminal history;
f. pending criminal matters;
g. probation or parole status;
h. prior cooperation;
i. reliability assessments;
j. materially false or inaccurate information previously supplied;
k. promises or expectations of favorable treatment;
l. debriefings; and
m. communications with investigators or prosecutors.

If the Commonwealth asserts privilege, confidentiality or safety concerns, Defendant requests appropriate judicial or in-camera review rather than nondisclosure of constitutionally required information.

21. Jailhouse Informants

The identity of any individual who was incarcerated or housed with Defendant and who provided information concerning Defendant, was contacted or solicited by the Commonwealth concerning Defendant, or may be called to testify concerning alleged statements or conduct of Defendant. For every such individual, Defendant requests all discoverable statements, recordings,

criminal history, pending matters, cooperation history, benefits, promises and communications relevant to credibility, bias, motive or interest.

22. Controlled Purchases and Alleged Drug Transactions

For each alleged controlled purchase or drug transaction upon which the Commonwealth intends to rely, Defendant requests:

a. operational plans;
b. authorizations;
c. contemporaneous reports;
d. surveillance logs;
e. identities and surveillance positions of participating officers or agents;
f. documentation identifying what each participant personally observed;
g. photographs;
h. complete audio recordings;
i. complete video recordings;
j. body-worn-camera recordings;
k. vehicle-camera recordings;
l. fixed, pole or other surveillance-camera footage;
m. pre-operation searches of confidential informants or undercover personnel;
n. post-operation searches;
o. records of source funds or buy money;
p. recorded serial numbers;
q. denominations of currency;
r. photographs of buy money;
s. recovery or non-recovery of buy money;
t. field-test records;
u. the substance allegedly obtained;
v. packaging;
w. evidence receipts;
x. chain-of-custody records;
y. laboratory submission forms;
z. laboratory reports and test results; and
aa. records concerning malfunction, interruption, loss, failure or absence of any recording or surveillance equipment.

23. Transaction-Specific Drug Identification

With respect to each and every alleged purchase, sale, delivery, receipt, acquisition, transfer or distribution of a controlled substance attributed to Defendant, whether involving a confidential informant, undercover officer, cooperating witness, co-defendant, alleged co-conspirator, law-enforcement agent, non-law-enforcement civilian or lay person, or any other individual, Defendant requests that the Commonwealth separately identify each alleged transaction and disclose all

evidence concerning the transaction. For each individual alleged transaction, Defendant specifically requests:

a. the precise location of the alleged transaction;
b. the identity of the alleged purchaser, seller, recipient, transferor and all persons allegedly present;
c. the identity of each witness claiming personal knowledge of the transaction;
d. identification of the physical substance allegedly purchased, sold, delivered, transferred or recovered in connection with that particular transaction.

24. Transactions for Which Drugs, Money, Direct Observation or Testing Are Absent

For each transaction or event the Commonwealth contends constitutes a drug transaction, distribution event, purchase, sale, delivery, transfer, conspiracy act or evidence of distribution, Defendant requests identification and disclosure of evidence establishing:

a. whether an officer, confidential informant, undercover officer, civilian or other witness actually observed the transfer of a substance;
b. whether money was observed being exchanged;
c. whether buy money was supplied;
d. whether buy money was recovered;
e. whether an actual substance was recovered;
f. whether the recovered substance can be specifically connected to the alleged transaction;
g. the identity of each witness possessing personal knowledge of the alleged transaction.

If any one of the foregoing categories of evidence does not exist as to a particular transaction, Defendant specifically requests an affirmative written negative response identifying the transaction and the absent category of evidence.

25. Attempted, Aborted and Unsuccessful Controlled Buys

All reports or information concerning attempted, unsuccessful, aborted, incomplete or failed controlled purchases involving Defendant or another alleged participant, including any occasion on which:

a. Defendant was absent;
b. another person supplied or possessed the substance;
c. no transaction occurred;
d. no controlled substance was recovered;
e. no money exchange was observed;
f. surveillance was lost or interrupted;
g. a confidential informant deviated from instructions; or
h. recording or surveillance equipment failed.

26. Preservation and Independent Testing of Controlled Substances

Records identifying the current location, quantity and condition of each alleged controlled substance and whether sufficient material remains available for independent defense examination or testing. Defendant requests preservation of all remaining samples pending reasonable opportunity for defense inspection or independent testing.

27. Chain of Custody

The complete chain of custody for every alleged controlled substance and every other material item of physical evidence, including:

a. evidence receipts;
b. property records;
c. submission forms;
d. transfer records;
e. evidence-room or property-room records;
f. locker records;
g. seal numbers;
h. packaging photographs;
i. dates and times of transfers;
j. identity of each person handling the item;
k. opening and resealing records;
l. destruction or consumption during testing; and
m. any discrepancy, missing evidence, broken seal or unexplained change in packaging or condition.

28. Tangible Evidence

All tangible evidence material to this prosecution, including documents, photographs, fingerprints, charts, diagrams, controlled substances, firearms, currency, packaging, records, cellular telephones, computers, electronic storage devices and other physical objects.

29. Any evidence obtained using a body camera.

30. Original Audio, Video and Digital Evidence

All audio, video, photographic and electronically stored evidence in original or native format where reasonably available, together with reasonably available:

a. original file names;
b. metadata;
c. creation information;
d. modification information;
e. source or device information;
f. complete source recordings from which excerpts, compilations or clips were created; and
g. information reflecting clipping, editing, conversion, enhancement or alteration.

31. Cellular Telephones and Electronic Devices

All search warrants, forensic reports, extraction reports and discoverable data obtained from cellular telephones, computers, tablets, cloud accounts, messaging platforms, social-media accounts and other electronic devices relevant to this prosecution, including:

a. text messages;
b. call records;
c. contact records;
d. photographs;
e. videos;
f. location information;
g. recovered or deleted information;
h. subscriber or account records; and
i. evidence used to attribute a device, telephone number, account or communication to Defendant or another alleged participant.

32. Location and Surveillance Evidence

All evidence relied upon to establish the location or movements of Defendant or another alleged participant, including:

a. physical surveillance;
b. cellular-site information;
c. GPS information;
d. automatic license-plate-reader information;
e. surveillance-camera footage;
f. geolocation information;
g. mapping information; and
h. records or reports reflecting gaps, loss or interruption of surveillance.

33. Search Warrants

All search warrants, applications, affidavits of probable cause, attachments, orders, inventories, returns and related records concerning searches resulting in evidence the Commonwealth intends to use or that is otherwise material to preparation of the defense.

34. Electronic Surveillance

All transcripts and recordings of electronic surveillance together with the authority pursuant to which such surveillance was conducted, including applicable warrants, court orders, applications and authorizations.

35. Financial and Transactional Records

All bank, payment-service, electronic-payment, cash-transfer, cryptocurrency, financial or transactional records upon which the Commonwealth intends to rely to establish alleged drug

transactions, proceeds, conspiracy, ownership, control, supply, financing or Defendant's alleged role.

36. Evidence Concerning Ownership, Possession, Supply and Hierarchy

Any evidence inconsistent with, tending to contradict or tending materially to diminish the Commonwealth's contention concerning Defendant's alleged:

a. ownership;
b. possession;
c. acquisition;
d. control;
e. supply;
f. distribution;
g. financing;
h. leadership;
i. organizational role; or
j. position within an alleged conspiracy or criminal enterprise.

This expressly includes evidence indicating that **another individual possessed, supplied, purchased, stored, transported, financed, controlled or distributed the controlled substances at issue.**

37. Evidence Concerning Other Participants

The identity of persons identified during the investigation as potential suppliers, distributors, organizers, participants, co-conspirators or other wrongdoers, together with discoverable statements and evidence materially bearing upon Defendant's alleged role in comparison with such persons.

38. Communications Between Magisterial District Judge Kelley Gillette-Walker and Senior Deputy Attorney General Megan A. McGoron

Any and all communications, correspondence and records of communications between Magisterial District Judge Kelley Gillette-Walker and Senior Deputy Attorney General Megan A. McGoron, directly or indirectly, concerning or relating in any manner to:

a. Agostino Sebastiano Abbatiello;
b. any co-defendant;
c. any alleged co-conspirator;
d. any witness;
e. any confidential informant;
f. the investigation or prosecution underlying this matter;
g. the filing, assignment or handling of charges;
h. designation, assignment or selection of an issuing authority;
i. preliminary arraignment;
j. bail;
k. conditions of release;

l. preliminary hearings;
m. scheduling;
n. continuances;
o. consolidation or coordination of proceedings;
p. cooperation by any defendant or witness;
q. jurisdiction;
r. recusal;
s. reassignment or replacement of an issuing authority; or
t. any other substantive or procedural matter concerning this prosecution.

39. Forms of Gillette-Walker/McGoron Communications

Request No. 39 includes, without limitation:

a. text messages;
b. SMS messages;
c. iMessages;
d. emails;
e. telephone calls;
f. telephone call logs;
g. records reflecting dates, times and durations of telephone calls;
h. voicemail messages;
i. audio recordings;
j. electronic or application-based messages;
k. letters;
l. notes or memoranda memorializing telephone or in-person conversations;
m. calendar entries;
n. attachments;
o. photographs or documents transmitted with communications; and
p. communications transmitted through staff members, assistants, attorneys, law-enforcement officers or other intermediaries.

40. Official and Personal Devices and Accounts

Requests Nos. 38 and 39 include responsive case-related communications conducted through official or personal cellular telephones, telephone numbers, email accounts, electronic devices, messaging applications or other means of communication, to the extent such responsive material is within the possession, custody or control of the Commonwealth or its agents or otherwise subject to disclosure under applicable law.

41. Communications Through Court, Prosecutorial or Law-Enforcement Staff

Any responsive communication between Judge Kelley Gillette-Walker, personnel or staff of the Magisterial District Court, and any attorney, employee or representative of the Centre County District Attorney's Office or any law-enforcement agency involved in this matter concerning any subject identified in Request No. 39. This request expressly includes communications transmitted

through intermediaries rather than directly between Judge Gillette-Walker and Senior Deputy Attorney General McGoron.

42. Specific Negative Response Regarding Judicial Communications

If, following diligent search and reasonable inquiry, the Commonwealth determines that no communications responsive to Requests Nos. 39 through 42 exist or can be located, Defendant specifically requests a written response affirmatively stating that fact. If responsive communications are not within the Commonwealth's possession, custody or control, Defendant requests a written response stating that fact and identifying, to the extent known and legally permissible, the person, agency, court office, account or other custodian believed to possess responsive material. If responsive communications are known or believed to have existed but are no longer available, Defendant requests identification of that fact and the circumstances of their loss, deletion, destruction or other unavailability to the extent known. The absence of material from a discovery production shall not be regarded as a negative response to Requests Nos. 38 through 41.

43. Preservation of Judicial/Prosecutorial Communications

The Commonwealth is requested immediately to preserve all electronically stored information responsive to Requests Nos. 38 through 42. Defendant further requests identification of responsive information known to have been deleted, destroyed, lost, overwritten, automatically purged, rendered inaccessible or otherwise made unavailable. For any such material, Defendant requests, to the extent known, identification of the participants, approximate date of the communication, method of communication, date or approximate date of deletion, destruction or loss, circumstances of its unavailability, and identity of persons having knowledge thereof.

44. Grand-Jury Evidence

All grand-jury testimony, exhibits, physical evidence and other grand-jury material subject to disclosure pursuant to Pa.R.Crim.P. 230, Pa.R.Crim.P. 556.10, Pa.R.Crim.P. 573 and applicable constitutional disclosure requirements, including testimony or physical evidence that is exculpatory, mitigating, favorable to Defendant or materially impeaching of a Commonwealth witness. To the extent disclosure of responsive grand-jury material requires authorization of a supervising judge or other court order, Defendant requests identification of the existence and general nature of such material to the extent consistent with applicable grand-jury secrecy requirements so that appropriate judicial relief may be sought.

45. Other-Acts Evidence

Any evidence of crimes, wrongs or other acts allegedly committed by Defendant that the Commonwealth intends to introduce at trial or another proceeding, together with notice of the purpose for which such evidence is offered as required by applicable law and the Pennsylvania Rules of Evidence.

46. Expert Witnesses

For each expert the Commonwealth intends to call, Defendant requests:

a. the expert's identity;

b. qualifications;

c. curriculum vitae;
d. reports;
e. opinions;
f. facts or data considered;
g. exhibits expected to be used; and
h. discoverable material underlying the opinions.

Where an intended Commonwealth expert has not prepared a written report, Defendant requests the information or relief contemplated by Pa.R.Crim.P. 573(B)(2)(b).

47. Destruction, Loss or Alteration of Evidence

Any record or information concerning material evidence that was lost, destroyed, deleted, consumed, contaminated, altered, damaged, misplaced or otherwise rendered unavailable. For each such item, Defendant requests, to the extent known:

a. identity and description of the evidence;
b. date and circumstances of the event;
c. identity of persons involved;
d. reason for loss, destruction or alteration;
e. applicable retention, preservation or destruction policy; and
f. copies, photographs, recordings, testing data or other secondary evidence that remain available.

48. General Preservation of Potentially Discoverable Evidence

The Commonwealth is requested to preserve all potentially discoverable evidence and electronically stored information material to the issues raised herein, including original digital files, source recordings, physical controlled substances, laboratory samples, communications, extraction images, forensic data, surveillance recordings and records whose ordinary retention periods may expire while this matter remains pending.

49. Withheld, Redacted or Protected Material

If specifically requested responsive material is withheld or redacted on the basis of privilege, attorney work product, grand-jury secrecy, protective order or another legal ground, Defendant requests, to the extent legally permissible without revealing the substance of protected information:

a. the general nature of the material;
b. its date or approximate date, if known;
c. the identity of persons or entities involved; and
d. the legal basis for withholding or redaction.

Where appropriate, Defendant requests that disputed material be preserved and submitted for in-camera judicial review.

50. Additional Favorable Evidence

Any additional evidence or information not specifically enumerated herein that is exculpatory, mitigating, impeaching, favorable to Defendant, inconsistent with a material aspect of the Commonwealth's theory of prosecution, inconsistent with the alleged role attributed to Defendant, or otherwise required to be disclosed under Brady, Giglio, their progeny or Pa.R.Crim.P. 573.

51. Continuing Duty to Disclose

These requests are continuing in nature. If, prior to or during trial, the Commonwealth discovers, receives, obtains, recovers or creates additional evidence, information or material previously requested herein and subject to discovery or inspection, Defendant requests prompt supplemental disclosure pursuant to Pa.R.Crim.P. 573(D). Any prior negative response is likewise requested to be supplemented promptly if responsive evidence or information subsequently becomes known, available or locatable.

52. Reservation Regarding Motion to Compel and Other Relief

To the extent the Commonwealth declines to disclose specifically identified material requested herein, Defendant reserves the right to seek appropriate relief pursuant to Pa.R.Crim.P. 573 and other applicable authority, including an order compelling disclosure, preservation of evidence, inspection, independent testing, in-camera judicial review, identification of unavailable or destroyed evidence, appropriate evidentiary relief, and such other relief as the Court deems just and proper.

Defendant intends to present an alibi defense with respect to any alleged transaction, sale, delivery, transfer, or other criminal conduct for which the Commonwealth contends Defendant was personally present.

Defendant further preserves all rights arising from the Commonwealth's failure to provide sufficient temporal specificity concerning the offenses alleged, including all rights relating to notice, due process, preparation of a defense, and any appropriate pretrial or trial relief.

Defendant submits that the foregoing information is necessary to permit adequate investigation, meaningful review of the Commonwealth's evidence, preparation of a full and complete defense, effective cross-examination and protection of Defendant's constitutional and procedural rights.

Respectfully submitted,

MASORTI LAW, P.C.

Date: 09/16/2026

By:

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IN THE COURT OF COMMON PLEAS OF CENTRE COUNTY, PENNSYLVANIA
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA	:	
	:	NO. CP-14-CR-874-2026
	:	
	:	
v.	:	
	:	
AGOSTINO SEBASTIANO ABBATIELLO	:	

CERTIFICATE OF SERVICE

I hereby certify that I served a true and correct copy of the foregoing Defendant's Motion for Entry of Pretrial Practice, Case Management and Scheduling Order with Exhibit A was forwarded via electronic transmission upon the following:

Megan McGoron, Esq.
Senior Deputy Attorney General at
Pennsylvania Office of Attorney General
16th Floor, Strawberry Square
Harrisburg, PA 17120
Email: mmcgoron@attorneygeneral.gov

MASORTI LAW, P.C.

Date: 09/16/2026

By: _____
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Attorney for Defendant

CERTIFICATE OF COMPLIANCE

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

By: _____
Philip M. Masorti, Esquire
PA I.D. 67328