

197 MM 2014

Filed in Supreme Court

DEC 23 2014

IN THE SUPREME COURT OF PENNSYLVANIA
HARRISBURG DISTRICT

Middle

IN RE:

THE THIRTY-FIVE STATEWIDE
INVESTIGATING GRAND JURY

SUPREME COURT OF
PENNSYLVANIA NO. 176 M.D.
MISC. DKT. 2012

MONTGOMERY COUNTY
COMMON PLEAS
M.D. 2644-2012

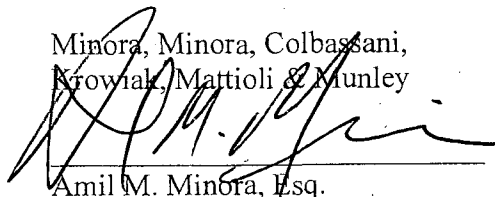
APPLICATION FOR LEAVE TO FILE
ORIGINAL PROCESS

QUO WARRANTO ACTION

APPLICATION FOR LEAVE TO FILE ORIGINAL PROCESS IN
QUO WARRANTO ACTION

Pursuant to Rule 3307 of the Pennsylvania Rules of Appellate Procedure, Attorney General Kathleen G. Kane, by and through her counsel, Amil M. Minora, Esq., hereby applies for leave to file original process in this *quo warranto* action to quash the appointment of Thomas E. Carluccio, Esq., as Special Prosecutor for the 35th Statewide Investigating Grand Jury. The Supreme Court has original jurisdiction over this *quo warranto* action pursuant to Section 721 of the Pennsylvania Judicial Code, because the Special Prosecutor in this case is "an officer of statewide jurisdiction." 42 Pa. C.S. § 721.

Minora, Minora, Colbassani,
Krowiak, Mattioli & Munley



Amil M. Minora, Esq.
Attorney for Attorney General Kathleen G. Kane
Attorney ID: 22703
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Winston & Strawn, LLP

Gerald L. Shargel / JHB
Gerald L. Shargel, Esq.

Attorney *Pro Hac Vice* for

Attorney General Kathleen G. Kane

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Dated: December 19, 2014
New York, New York

IN THE SUPREME COURT OF PENNSYLVANIA
HARRISBURG DISTRICT

IN RE:

THE THIRTY-FIVE STATEWIDE
INVESTIGATING GRAND JURY

SUPREME COURT OF
PENNSYLVANIA NO. 176 M.D.
MISC. DKT. 2012

MONTGOMERY COUNTY
COMMON PLEAS
M.D. 2644-2012

MOTION TO FILE APPLICATION FOR
LEAVE TO FILE ORIGINAL PROCESS AND
QUO WARRANTO ACTION UNDER SEAL

PROOF OF SERVICE

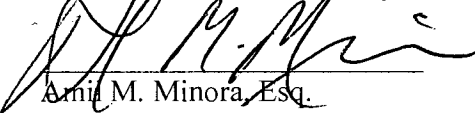
I hereby certify that I am this day causing the service of the foregoing Motion to File Application for Leave to File Original Process and *Quo Warranto* Action Under Seal upon the persons and in the manner indicated below, which satisfies the requirements of Pa. R.A.P. 121:

Service by Federal Express addressed as follows:

Thomas E. Carluccio
Special Prosecutor
(484) 674-2899
Law Office of Thomas E. Carluccio
1000 Germantown Pike, Suite D-3
Plymouth Meeting, PA 19462

Date: December 22, 2014

Minora, Minora, Colbassani,
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