

Commonwealth's opposition, reinstating defendant Cook's right to appeal from prior orders dismissing his first four PCRA petitions. Defendant Cook's *nunc pro tunc* appeal from the denial of his prior PCRA petitions is currently before the Superior Court.

3. On November 12, 2019, Mrs. Faulkner filed a petition asking this Court to exercise its King's Bench jurisdiction and disqualify the Philadelphia District Attorney's Office from the prosecution of defendant Cook. Petitioner claims that removal of the district attorney's office is necessary due to alleged conflicts of interest and because the office is supposedly "refusing to carry out its responsibility to objectively analyze the case and enforce the law" (King's Bench Petition, 2).

4. One of the alleged conflicts of interest involves Paul M. George, Esquire. Petitioner claims that Mr. George is "the current head of the Appellate Unit," or the "Chief of the Appeals Unit" at the Philadelphia District Attorney's Office (*id.* at 2, 19).

5. In its response to the King's Bench petition, the Philadelphia District Attorney's Office pointed out that a review of the District Attorney's Office's public website would have revealed to Petitioner's attorneys that Lawrence J. Goode, Esquire, and not Paul M. George, Esquire, is the head of the Appeals Unit. This is an accurate statement.

6. In support of the above point, the District Attorney's Office attached a

copy of the Law Division webpage from the District Attorney's website (District Attorney's Response to King's Bench Petition, Exhibit C). This exhibit is an accurate depiction of how the webpage looked at the time the assigned attorney viewed the webpage (November 26, 2019) and at the time the District Attorney's Office filed its response to the King's Bench petition.

7. The assigned attorney, however, has realized that the webpage was updated after Petitioner filed her King's Bench petition, although at the time she filed her petition, and prior thereto, it correctly stated, as it does now, that Mr. Goode is the Supervisor of the Appeals Unit.

8. Thus, while the District Attorney's Office's statement that a review of the webpage would have shown Petitioner's attorneys that Mr. Goode, and not Mr. George, is the head of the Appeals Unit is accurate, it realizes it erred in including Exhibit C as part of its response, since that version of the page did not exist at the time Petitioner filed her King's Bench petition.

9. Accordingly, the District Attorney's Office requests this Court's permission to withdraw Exhibit C from its response to the King's Bench petition.

WHEREFORE, the Philadelphia District Attorney's Office respectfully requests permission to withdraw Exhibit C from its response to the King's Bench petition.

Respectfully submitted,

/s/ Grady Gervino

GRADY GERVINO
Assistant District Attorney