

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

COMMONWEALTH OF PENNSYLVANIA,	:	NO. 39 MAP 2020
APPELLEE,	:	
	:	
v.	:	
	:	
WILLIAM H. COSBY, JR.,	:	
APPELLANT.	:	

**APPELLEE’S APPLICATION FOR LEAVE TO FILE BRIEF IN EXCESS  
OF WORD LIMIT**

TO THE HONORABLE JUSTICES OF THE SUPREME COURT:

Appellee, the Commonwealth of Pennsylvania, by and through the Montgomery County District Attorney’s Office, moves this Court for Leave to File Brief in Excess of Word Limit prescribed by Pa.R.A.P. 2135(a)(1), and, in support thereof, avers that:

1. The Commonwealth’s brief is currently due today, September 14, 2020.
2. Pa.R.A.P. 2135(a)(1) provides that the principal brief for the parties shall not exceed 14,000 words.
3. Appellant requested leave to file his principal brief in excess of the 14,000-word limit.

4. The Commonwealth did not oppose appellant's request.<sup>1</sup>
5. This Court granted appellant's application to exceed the word limit.
6. Appellant's brief raises two issues, with multiple sub-issues and exceeds the 14,000 word limit, as permitted by this Court.
7. Additionally, two *amicus curiae* briefs were filed on behalf of appellant.
8. Despite the Commonwealth's best efforts, undersigned counsel have been unable to thoroughly address the important claims raised by appellant and his *amici* in the current word count requirement of 14,000 words.
9. In order to fully address these claims, it is necessary for the Commonwealth's brief to span beyond the 14,000-word limit. The Commonwealth's final draft spans 41,476 words.

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<sup>1</sup> Nor did it oppose appellant's request for a two-week extension of time to file his brief.

**WHEREFORE**, the Commonwealth respectfully requests leave to file a brief in excess of 14,000 words – specifically, not to exceed 41,476 – to ensure that the Commonwealth is able to thoroughly address the claims raised by appellant.

RESPECTFULLY SUBMITTED:

*/s/ Adrienne D. Jappe*

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ADRIENNE D. JAPPE  
ASSISTANT DISTRICT ATTORNEY

*/s/ Robert M. Falin*

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ROBERT M. FALIN  
DEPUTY DISTRICT ATTORNEY  
EDWARD F. McCANN, JR.  
FIRST ASSISTANT DISTRICT ATTORNEY  
KEVIN R. STEELE  
DISTRICT ATTORNEY