

ENTERED & FILED  
CLERK OF COURTS  
LEBANON, PA

**IN THE COURT OF COMMON PLEAS OF LEBANON COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION**

2025 MAY 19 A 8:34

**COMMONWEALTH OF PENNSYLVANIA,** :  
 :  
 **v.** : **No. CP-38-CR-430-2023**  
 :  
 :  
 **VERONIKA RODRIGUEZ** :  
 **DEFENDANT** :

**LEBTOWN, PENNLIVE, LNP MEDIA GROUP, INC. and WITF'S CONTESTED  
MOTION TO INTERVENE AND UNSEAL**

LebTown, PennLive, LNP Media Group, Inc. and WITF (together, "Media Intervenors") hereby move for leave to intervene in the above-captioned proceeding for the limited purpose of contesting the sealing of docket entries in this matter. This Motion, which is contested pursuant to Leb.Co.R.C.P. RULE 52-205.7, is made on the following grounds:

1. LebTown is an online news outlet with a mailing address of 922 Cumberland Street, Lebanon, PA 17042. LebTown is an independent media organization that provides timely, accurate, and comprehensive journalism intended to help people navigate their daily lives and promote the general well-being of Lebanon County. It has a highly engaged audience of more than 130,000 monthly users.

2. PennLive is the largest newspaper serving the Harrisburg, Pennsylvania metropolitan area with print and digital news. It is owned by Advance Local Media LLC and headquartered in Mechanicsburg, Cumberland County. Its offices are located at 1900 Patriot Drive.

3. PennLive reporters routinely use judicial records of civil and criminal proceedings throughout Central Pennsylvania, including Lebanon County, to provide their readers with timely and important information about news impacting their communities.

4. LNP Media Group, Inc. (“LNP”) is a print and digital news organization and publisher with a principal office at 101 N. Queen Street, Lancaster. The company produces the daily printed LNP | LancasterOnline, a newspaper of general circulation throughout central Pennsylvania, and operates the digital news site LancasterOnline.com, serving an audience within and beyond Central and Southeastern Pennsylvania, including Lebanon County.

5. LNP is a subsidiary of the news organization Pennon, which also owns WITF. WITF, in turn, comprises public broadcasting stations WITF TV, WITF 89.5, 93.3 and 99.9, witf.org, WITF Educational Services, and Media Solutions.

6. LNP and WITF deliver vital news to a robust audience in Pennsylvania and beyond, with LancasterOnline.com receiving roughly 1 million visitors and 3.5 million pageviews a month, and WITF broadcasts reaching a potential a market of nearly 3.5 million across a 19-county area in Central and Southeastern Pennsylvania – including Lebanon County -- with additional viewers and listeners picking up the signal in portions of Western Maryland.

7. Reporters for Media Intervenors routinely cover criminal proceedings in the Lebanon County Court of Common Pleas. To provide their readers with timely and important information about criminal activity and other news impacting their community, those reporters frequently rely on court dockets and filings, including records filed with Magisterial District Judges and Clerks of Courts.

8. One of the criminal proceedings of interest to Media Intervenors and their readers in Lebanon County is the above-captioned case. On or about March 8, 2023, Veronika Rodriguez was charged with intercepting communications, disclosure of intercepted communications, and making a false report. A true and correct copy of the docket for the above-captioned case is attached as **Exhibit A**.

9. The prosecution of Ms. Rodriguez has resulted in extensive media coverage.<sup>1</sup>

10. According to the docket available through the Unified Judicial System of Pennsylvania web portal, the trial in the above-captioned case is scheduled to begin on Monday May 19, 2025.

11. The case was originally scheduled for trial on various dates in 2023 and 2024.

12. As the case was working its way through pre-trial proceedings, the Court issued several “Gag Orders.” On December 17, 2024 Judge Charles T. Jones, Jr. issued a Gag Order preventing the Defendant, counsel, anyone from respective offices of counsel, all members of Defendant’s family, and any witnesses from speaking to anyone, including the news media, about this case. A true and correct copy of the order is attached as **Exhibit B**.

13. On May 8, 2025,<sup>2</sup> the Gag Order was amended to specify the individuals with whom Ms. Rodriguez may communicate. The Gag Order on other parties remained the same. A true and correct copy of the order is attached as **Exhibit C**.

14. Since the Media Intervenors cannot speak with attorneys or witnesses involved in the case due to the Gag Orders, Media Intervenors instead must rely exclusively on observing court proceedings and scrutinizing the public docket to inform their reporting on this case.

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<sup>1</sup> See e.g. Chris Coyle, *Trial of Woman Accused of Making False Sexual Assault Report Begins Monday*, LebTown (May 16, 2025) [https://lebtown.com/2025/05/16/trial-of-woman-accused-of-making-false-sexual-assault-report-begins-monday/?srsltid=AfmBOopajOfFqZQsIAPeDIRdT3awSUjYh1YdcJR6xfqNnI\\_cZL22m-wD](https://lebtown.com/2025/05/16/trial-of-woman-accused-of-making-false-sexual-assault-report-begins-monday/?srsltid=AfmBOopajOfFqZQsIAPeDIRdT3awSUjYh1YdcJR6xfqNnI_cZL22m-wD); Christine Vendel, *She Says a Military Officer Raped Her. Police in Lebanon County Charged Her Instead*, PennLive (Nov. 19, 2024) <https://www.pennlive.com/news/2024/11/she-says-a-military-officer-raped-her-police-in-lebanon-county-charged-her-instead.html>; Matthew Toth, Lebanon Daily News, *Judge Orders Addition to Gag Order in Veronika Rodriguez Case After Alleged Violations*, Yahoo! News (May 8, 2025) [https://www.yahoo.com/news/judge-orders-addition-gag-order-181250970.html?guce\\_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce\\_referrer\\_sig=AQAAACEReIB4Pdnc9VinL3a-ybefnru\\_f4H6QFgNI0a48gWt24H\\_m2eQAH\\_GJTOH8qwOO39GwEP43qExLvWwo62-UycAMKYwK0xbMMUJx-a08CZ7edCLiaTn8qxogcCXwfmk6Aa517kLhf\\_lJzcAKw26XZwpZvBJ4vo7B3hrCnY8l67A&guccounter=1](https://www.yahoo.com/news/judge-orders-addition-gag-order-181250970.html?guce_referrer=aHR0cHM6Ly93d3cuZ29vZ2xlLmNvbS8&guce_referrer_sig=AQAAACEReIB4Pdnc9VinL3a-ybefnru_f4H6QFgNI0a48gWt24H_m2eQAH_GJTOH8qwOO39GwEP43qExLvWwo62-UycAMKYwK0xbMMUJx-a08CZ7edCLiaTn8qxogcCXwfmk6Aa517kLhf_lJzcAKw26XZwpZvBJ4vo7B3hrCnY8l67A&guccounter=1); Meredith Jorgenson, *Lawyer weighs in on Lebanon County wiretapping case*, WGAL (April 1, 2025) <https://www.wgal.com/article/lebanon-county-wiretapping-case-lawyer-weighs-in/64344940>.

<sup>2</sup> The typed date on the Order is May 8, 2025 but the Clerk of Courts’ docketing stamp is May 9, 2025.

15. The publicly available docket shows that on February 10, 2025, two sealed entries were issued without an accompanying sealing order. *See* Ex. A at 12.

16. The first of the sealed entries was filed by the Lebanon County District Attorney's Office. *Id.*

17. The second of the sealed entries was filed by Judge Charles T. Jones Jr. *Id.*

18. On May 2, 2025, another sealed entry was issued on the docket, again without a sealing order. This entry was filed by the Commonwealth of Pennsylvania. *See* Ex. A at 14.

19. On information and belief, there is *no* court order that purports to seal any docket entry in the above-captioned case.

20. Media Intervenors and the public have been unable to access these filings.

21. Reporters for Media Intervenors should be permitted to intervene for the limited purpose of unsealing the three docket entries and judicial records filed in the above-captioned case. *See Commonwealth v. Long*, 922 A.2d 892, 895 n.1 (Pa. 2007); *Commonwealth v. Fenstermaker*, 530 A.2d 414, 416 n.1 (Pa. 1987).

22. Media Intervenors have a constitutional right to access the sealed judicial records under the First Amendment to the U.S. Constitution and article 1, section 11 of the Pennsylvania Constitution. *See Fenstermaker*, 530 A.2d at 417; *Commonwealth v. Curley*, 189 A.3d 467, 473 (Pa. Super. Ct. 2018).

23. Media Intervenors have a common law right to access the sealed judicial records. *See Commonwealth v. Upshur*, 924 A.2d 642, 647 (Pa. 2007) (citing *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 591 (1978)).

24. To the extent compelling countervailing interests overcome Media Intervenors' constitutional and common law rights of access, the docket entries should be unsealed and any

sealing of judicial records must be no broader than necessary to serve those interests. *See Long*, 922 A.2d at 905; *In re M.B.*, 819 A.2d 59, 63 (Pa. Super. Ct. 2003). Any such sealing must also be supported by specific, on-the-record factual findings, including discussion of alternatives to closures. *See Press-Enter. Co. v. Superior Court*, 464 U.S. 501, 510 (1984); *United States v. Criden*, 675 F.2d 550, 560 (3d Cir. 1982).

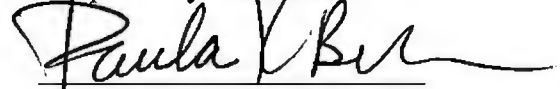
### **RELIEF SOUGHT**

Media Intervenors respectfully request that the Court grant their motion to intervene and enter an order unsealing all sealed judicial records filed in the above-captioned proceeding.

Media Intervenors respectfully request that they be heard on this Motion as soon as possible.

Dated: May 19, 2025

Respectfully submitted,



Paula Knudsen Burke

PA ID 87607

REPORTERS COMMITTEE FOR

FREEDOM OF THE PRESS

4000 Crum Mills Rd., Ste. 101

Harrisburg, PA 17112

(717) 370-6884

[pknudsen@rcfp.org](mailto:pknudsen@rcfp.org)

*Counsel for Media Intervenors*

**VERIFICATION**

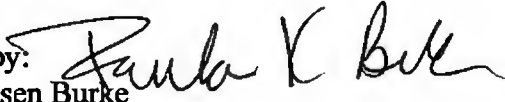
I, Paula Knudsen Burke, hereby state that the facts above set forth in the foregoing are true and correct to the best of my knowledge, information and belief. I understand that the statements herein are made subject to the penalties of 18 Pa. C.S. § 4904 (relating to unsworn falsification to authorities).

  
\_\_\_\_\_  
Paula Knudsen Burke

Date: 5/19/25

## **CERTIFICATE OF COMPLIANCE**

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

Submitted by:  5/19/25  
Paula Knudsen Burke  
PA Attorney ID: 87607

## CERTIFICATE OF SERVICE

I, Paula Knudsen Burke, hereby certify that on May 19, 2025, I served a true and correct copy of the foregoing Contested Motion to Intervene and Unseal, via email, upon the following individuals:

Pier Hess Graf  
Lebanon County District Attorney's Office  
400 South Eighth St.  
Room 11  
Lebanon, PA 17042  
[pier.graf@lebanoncountypa.gov](mailto:pier.graf@lebanoncountypa.gov)

*Counsel for the Commonwealth*

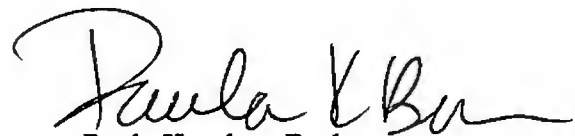
Ian Means Ehrgood  
410 Chestnut St.  
Lebanon, PA 17042  
[imehrgood@gmail.com](mailto:imehrgood@gmail.com)

*Counsel for Defendant*

Joseph A. Crowe  
525 South Eighth St.  
Lebanon, PA 17042  
717-274-1421  
[crowe@buzgondavis.com](mailto:crowe@buzgondavis.com)

*Counsel for Kristina Kolb and Diana Kolb*

Dated: May 19, 2025



Paula Knudsen Burke  
PA ID 87607  
REPORTERS COMMITTEE FOR  
FREEDOM OF THE PRESS  
4000 Crum Mills Rd., Ste. 101  
Harrisburg, PA 17112  
(717) 370-6884  
[pknudsen@rcfp.org](mailto:pknudsen@rcfp.org)

*Counsel for Media Intervenors*

# EXHIBIT A

# COURT OF COMMON PLEAS OF LEBANON COUNTY

## DOCKET

Docket Number: CP-38-CR-0000430-2023

## CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

Veronika Celeste Rodriguez

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### CASE INFORMATION

Judge Assigned: Jones, Charles T. Jr.

Date Filed: 04/10/2023

Initiation Date: 03/08/2023

OTN: R 444804-3

LOTN:

Originating Docket No: MJ-52305-CR-0000057-2023

Initial Issuing Authority: Carl Russell Garver

Final Issuing Authority: Carl Russell Garver

Arresting Agency: Fort Indiantown Gap Police Force

Arresting Officer: Czerviski, Randy

Complaint/Citation No.: CC00000078841

Incident Number: 2023030360

County: Lebanon

Township: E Hanover Township

Case Local Number Type(s)

Case Local Number(s)

### STATUS INFORMATION

<u>Case Status:</u>	<u>Status Date</u>	<u>Processing Status</u>	<u>Complaint Date:</u>
Active	04/24/2023	Awaiting Pre-Trial Conference	03/08/2023
	04/17/2023	Awaiting Formal Arraignment	
	04/10/2023	Awaiting Filing of Information	

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### CALENDAR EVENTS

<u>Case Calendar</u> <u>Event Type</u>	<u>Schedule</u> <u>Start Date</u>	<u>Start</u> <u>Time</u>	<u>Room</u>	<u>Judge Name</u>	<u>Schedule</u> <u>Status</u>
Arraignment	04/26/2023	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Cancelled
Call of the List	06/27/2023	8:30 am	Courtroom No. 4	Senior Judge Samuel A. Kline	Continued
Crim Jury Trial	07/17/2023	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Continued
Call of the List	08/01/2023	8:30 am	Courtroom No. 4	Senior Judge Samuel A. Kline	Continued
Crim Jury Trial	08/21/2023	8:30 am	Courtroom No. 3	Judge Bradford H. Charles	Continued
Call of the List	10/03/2023	8:30 am	Courtroom No. 4	Senior Judge Samuel A. Kline	Continued
Crim Jury Trial	10/16/2023	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Continued
Call of the List	12/05/2023	8:30 am	Courtroom No. 4	Senior Judge Samuel A. Kline	Continued
Crim Jury Trial	12/18/2023	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Continued
Call of the List	04/02/2024	8:30 am	Courtroom No. 4	Judge Donna Long Brightbill	Moved
Call of the List	04/17/2024	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Continued
Crim Jury Trial	04/22/2024	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Continued
Call of the List	07/02/2024	8:30 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Continued
Crim Jury Trial	07/22/2024	8:30 am	Courtroom No. 3	Judge Bradford H. Charles	Continued
Motion	10/02/2024	1:30 pm	Courtroom No. 2	Judge Charles T. Jones Jr.	Moved
Motion	10/09/2024	1:30 pm	Courtroom No. 2	Judge Charles T. Jones Jr.	Continued
Motion	10/30/2024	10:30 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Scheduled
Call of the List	11/05/2024	8:30 am	Courtroom No. 4	Judge Donna Long Brightbill	Moved
Call of the List	11/13/2024	8:30 am	Courtroom No. 3	Judge Bradford H. Charles	Continued
Crim Jury Trial	11/18/2024	8:30 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Continued
Call of the List	02/04/2025	8:30 am	Courtroom No. 1	President Judge John C. Tylwalk	Continued
Crim Jury Trial	02/24/2025	8:30 am	Courtroom No. 3	Judge Bradford H. Charles	Continued
Criminal Pre-Trial Conference	04/07/2025	8:30 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Scheduled
Pre-Trial	05/01/2025	10:00 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Scheduled
Call of the List	05/06/2025	8:30 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Moved
Pre-Trial	05/08/2025	8:30 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Cancelled
Call of the List	05/14/2025	8:30 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Scheduled
Crim Jury Trial	05/19/2025	8:30 am	Courtroom No. 2	Judge Charles T. Jones Jr.	Scheduled

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### DEFENDANT INFORMATION

Date Of Birth: 03/02/1998 City/State/Zip: Middletown, PA 17067

### CASE PARTICIPANTS

<u>Participant Type</u>	<u>Name</u>
Defendant	Rodriguez, Veronika Celeste

### BAIL INFORMATION

Rodriguez, Veronika Celeste					Nebbia Status: None
<u>Bail Action</u>	<u>Date</u>	<u>Bail Type</u>	<u>Originating Court</u>	<u>Percentage</u>	<u>Amount</u>
Set	03/08/2023	Unsecured	Magisterial District Court		\$10,000.00
<u>Surety Type</u>	<u>Surety Name</u>	<u>Posting Status</u>	<u>Posting Date</u>	<u>Security Type</u>	<u>Security Amt</u>
Self	Rodriguez, Veronika Celeste	Posted	03/08/2023	Bond Signature	\$0.00

### CHARGES

Seq.	Orig Seq.	Grade	Statute	Statute Description	Offense Dt.	OTN
1	2	F3	18 § 5703 §§ 1	Intercept Communications	01/08/2023	R 444804-3
2	3	F3	18 § 5703 §§ 2	Disclose Intercepted Communications	01/08/2023	R 444804-3
3	1	M2	18 § 4906 §§ A	False Report - Falsely Incriminate Another	01/08/2023	R 444804-3

### DISPOSITION SENTENCING/PENALTIES

#### Disposition

<u>Case Event</u>	<u>Disposition Date</u>	<u>Final Disposition</u>
<u>Sequence/Description</u>	<u>Offense Disposition</u>	<u>Grade Section</u>
<u>Sentencing Judge</u>	<u>Sentence Date</u>	<u>Credit For Time Served</u>
<u>Sentence/Diversion Program Type</u>	<u>Incarceration/Diversionary Period</u>	<u>Start Date</u>
<u>Sentence Conditions</u>		

Waived for Court (Lower Court) Defendant Was Present

Lower Court Disposition	03/30/2023	Not Final
1 / Intercept Communications	Waived for Court (Lower Court)	F3 18 § 5703 §§ 1
2 / Disclose Intercepted Communications	Waived for Court (Lower Court)	F3 18 § 5703 §§ 2
3 / False Report - Falsely Incriminate Another	Waived for Court (Lower Court)	M2 18 § 4906 §§ A

Proceed to Court

Information Filed	04/17/2023	Not Final
1 / Intercept Communications	Proceed to Court	F3 18 § 5703 §§ 1
2 / Disclose Intercepted Communications	Proceed to Court	F3 18 § 5703 §§ 2
3 / False Report - Falsely Incriminate Another	Proceed to Court	M2 18 § 4906 §§ A

Proceed to Court (Amended Information)

Information Filed	04/21/2023	Not Final
1 / Intercept Communications	Proceed to Court (Amended Information)	F3 18 § 5703 §§ 1

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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### DISPOSITION SENTENCING/PENALTIES

#### Disposition

Case Event	Disposition Date	Final Disposition	
Sequence/Description	Offense Disposition	Grade	Section
Sentencing Judge	Sentence Date	Credit For Time Served	
Sentence/Diversion Program Type	Incarceration/Diversionary Period	Start Date	
Sentence Conditions			
2 / Disclose Intercepted Communications	Proceed to Court (Amended Information)	F3	18 § 5703 §§ 2
3 / False Report - Falsely Incriminate Another	Proceed to Court (Amended Information)	M2	18 § 4906 §§ A

#### COMMONWEALTH INFORMATION

Name: Lebanon County District Attorney's  
Office  
District Attorney

Supreme Court No:

Phone Number(s):  
717-274-2801 (Phone)

Address:  
400 South Eighth Street  
Room 11  
Lebanon, PA 17042

#### ATTORNEY INFORMATION

Name: Ian Means Ehrgood  
Private

Supreme Court No: 313850

Rep. Status: Active

Phone Number(s):  
717-274-5641 (Phone)

Address:  
410 Chestnut St  
Lebanon, PA 17042

Representing: Rodriguez, Veronika Celeste

### ENTRIES

Sequence Number	CP Filed Date	Document Date	Filed By
Service To	Service By		
Issue Date	Service Type	Status Date	Service Status
1	03/08/2023		Rodriguez, Veronika Celeste
Bail Posted - Rodriguez, Veronika Celeste Lebanon County District Attorney's Office			
04/10/2023	eService		Served
2	03/08/2023		Verna, Anthony J.
Bail Set - Rodriguez, Veronika Celeste			
1	03/30/2023		Lebanon County Court Administration
Notice: Three Date Letter Lebanon County District Attorney's Office			
04/11/2023	eService		Served

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	04/10/2023		Court of Common Pleas - Lebanon County
Original Papers Received from Lower Court			
Lebanon County District Attorney's Office			
04/10/2023	eService		Served
1	04/17/2023		Commonwealth of Pennsylvania
Information Filed			
Lebanon County District Attorney's Office			
04/21/2023	eService		Served
1	04/21/2023		Commonwealth of Pennsylvania
Amended Information Filed			
Lebanon County District Attorney's Office			
04/21/2023	eService		Served
1	04/24/2023		Rodriguez, Veronika Celeste
Waiver of Appearance at Arraignment			
Lebanon County District Attorney's Office			
04/25/2023	eService		Served
1	06/23/2023	06/26/2023	Jones, Charles T. Jr.
Order Granting Motion for Continuance and Waiver of Pa.R.Crim.P. 600/1013			
Ehrgood, Ian Means			
06/27/2023	Interoffice Mailbox		Lebanon County Clerk of Courts
Lebanon County Court Administration			
06/27/2023	Interoffice		Lebanon County Clerk of Courts
Lebanon County District Attorney's Office			
06/27/2023	Interoffice		Lebanon County Clerk of Courts
Rodriguez, Veronika Celeste			
06/27/2023	Interoffice Mailbox		Lebanon County Clerk of Courts

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>		<u>Service By</u>	
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Lebanon County District Attorney's Office			
06/29/2023	eService		Served
1	07/31/2023	07/31/2023	Tylwalk, John C.
Order Granting Motion for Continuance and Waiver of Pa.R.Crim.P. 600/1013			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
08/02/2023	Interoffice Mailbox		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
08/02/2023	Interoffice		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
08/02/2023	Interoffice		
Rodriguez, Veronika Celeste		Lebanon County Clerk of Courts	
08/02/2023	Interoffice Mailbox		
Lebanon County District Attorney's Office			
08/03/2023	eService		Served
1	09/29/2023		Ehrgood, Ian Means
Motion for Third Continuance Defense Request			
Lebanon County District Attorney's Office			
09/29/2023	eService		Served
1	10/02/2023	09/29/2023	Tylwalk, John C.
Order Granting Motion to Continue to Call of the List/ Trial			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
10/02/2023	Interoffice Mailbox		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
10/02/2023	Interoffice		
Lebanon County District Attorney's Office			
10/03/2023	eService		Served
1	12/01/2023		Ehrgood, Ian Means
Motion for Continuance Defense Request			

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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Docket Number: CP-38-CR-0000430-2023

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### ENTRIES

<u>Sequence Number</u>	<u>CP Filed Date</u>	<u>Document Date</u>	<u>Filed By</u>
<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Lebanon County District Attorney's Office			
12/01/2023	eService		Served
-----			
1	12/05/2023	12/04/2023	Jones, Charles T. Jr.
Order Granting Motion to Continue to Call of the List/ Trial			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
12/05/2023	Interoffice		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
12/05/2023	Interoffice		
Lebanon County District Attorney's Office			
12/05/2023	eService		Served
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
12/05/2023	Interoffice		
-----			
1	04/01/2024		Rodriguez, Veronika Celeste
Certificate of Trial Readiness			
Lebanon County District Attorney's Office			
04/02/2024	eService		Served
-----			
1	04/05/2024	04/05/2024	Tylwalk, John C.
Order Granting Continuance - Prosecution Request			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
04/05/2024	Interoffice Mailbox		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
04/05/2024	Interoffice		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
04/05/2024	Interoffice		
Rodriguez, Veronika Celeste		Lebanon County Clerk of Courts	
04/05/2024	First Class		
Lebanon County District Attorney's Office			
04/08/2024	eService		Served
-----			

# COURT OF COMMON PLEAS OF LEBANON COUNTY

## DOCKET

Docket Number: CP-38-CR-0000430-2023

## CRIMINAL DOCKET

Court Case



Commonwealth of Pennsylvania

v.

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	06/28/2024		Ehrgood, Ian Means
Motion for Continuance Defense Request			
Lebanon County District Attorney's			
Office			
06/28/2024	eService		Served
1	07/03/2024	07/03/2024	Jones, Charles T. Jr.
Order Granting Motion to Continue to Call of the List/Trial			
Ehrgood, Ian Means			
07/03/2024	Interoffice Mailbox		
Lebanon County Adult Probation Unit			
07/03/2024	Interoffice		
Lebanon County Correctional Facility			
07/03/2024	Interoffice		
Lebanon County Court Administration			
07/03/2024	Interoffice		
Lebanon County District Attorney's			
Office			
07/03/2024	Interoffice		
Lebanon County District Attorney's			
Office			
07/05/2024	eService		Served
1	08/13/2024		Ehrgood, Ian Means
Motion to Preclude Expert Testimony			
Lebanon County District Attorney's			
Office			
08/27/2024	eService		Served
1	08/16/2024	08/15/2024	Tylwalk, John C.
Order Scheduling Hearing			
Ehrgood, Ian Means			
08/16/2024	Interoffice Mailbox		
Lebanon County Adult Probation Unit			
08/16/2024	Interoffice		
Lebanon County Court Administration			
08/16/2024	Interoffice		

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Lebanon County District Attorney's Office			
08/16/2024	eService		Served
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
08/16/2024	Interoffice		
<hr/>			
4	10/02/2024	10/01/2024	Lebanon County District Attorney's Office
Notice: Criminal Miscellaneous Scheduling Form			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
10/02/2024	Interoffice		
Lebanon County Adult Probation Unit		Lebanon County Clerk of Courts	
10/02/2024	Interoffice		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
10/02/2024	Interoffice		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
10/02/2024	Interoffice		
Rodriguez, Veronika Celeste		Lebanon County Clerk of Courts	
10/02/2024	Interoffice		
<hr/>			
5	10/02/2024	09/30/2024	Tylwalk, John C.
Order Granting Motion for Continuance			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
10/03/2024	Interoffice Mailbox		
Lebanon County Adult Probation Unit		Lebanon County Clerk of Courts	
10/03/2024	Interoffice		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
10/03/2024	Interoffice		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
10/03/2024	Interoffice		
Rodriguez, Veronika Celeste		Lebanon County Clerk of Courts	
10/03/2024	First Class		
Lebanon County District Attorney's Office			
10/04/2024	eService		Served

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Service To</u>	<u>Service By</u>		
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	10/30/2024		Ehrgood, Ian Means
Entry of Appearance			
Lebanon County District Attorney's Office			
11/05/2024	eService		Served
1	11/14/2024	11/14/2024	Jones, Charles T. Jr.
Order Granting Motion to Schedule Status Conference			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
11/14/2024	Interoffice Mailbox		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
11/14/2024	Interoffice		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
11/14/2024	Interoffice		
Ehrgood, Ian Means			
11/15/2024	eService		Served
Lebanon County District Attorney's Office			
11/15/2024	eService		Served
1	12/17/2024	12/17/2024	Jones, Charles T. Jr.
Gag Order			
Ehrgood, Ian Means			
12/17/2024	eService		Served
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
12/17/2024	Interoffice Mailbox		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
12/17/2024	Interoffice		
Lebanon County District Attorney's Office			
12/17/2024	eService		Served
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
12/17/2024	Interoffice		

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Service To</u>		<u>Service By</u>	
<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
5	01/06/2025		Rodriguez, Veronika Celeste
Notice: Criminal Miscellaneous Scheduling Form			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
01/06/2025	Interoffice		
Lebanon County Adult Probation Unit		Lebanon County Clerk of Courts	
01/06/2025	Interoffice		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
01/06/2025	Interoffice		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
01/06/2025	Interoffice		
Rodriguez, Veronika Celeste		Lebanon County Clerk of Courts	
01/06/2025			
Ehrgood, Ian Means			
01/07/2025	eService		Served
Lebanon County District Attorney's Office			
01/07/2025	eService		Served
-----			
1	01/31/2025		Ehrgood, Ian Means
Motion for Date Certain			
Lebanon County District Attorney's Office			
02/03/2025	eService		Served
-----			
1	02/04/2025	02/03/2025	Jones, Charles T. Jr.
Order Granting Motion to Continue to Call of the List/ Trial			
Ehrgood, Ian Means			
02/04/2025	eService		Served
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
02/04/2025	Interoffice Mailbox		
Lebanon County District Attorney's Office			
02/04/2025	eService		Served
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
02/04/2025	Interoffice		
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# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
1	02/10/2025		Lebanon County District Attorney's Office
Sealed Entry Ehrgood, Ian Means 02/11/2025	eService		Served
2	02/10/2025	02/10/2025	Jones, Charles T. Jr.
Sealed Entry Ehrgood, Ian Means 02/10/2025	Interoffice Mailbox	Lebanon County Clerk of Courts	
Lebanon County Court Administration 02/10/2025	Interoffice	Lebanon County Clerk of Courts	
Lebanon County District Attorney's Office 02/10/2025	Interoffice	Lebanon County Clerk of Courts	
Ehrgood, Ian Means 02/11/2025	eService		Served
Lebanon County District Attorney's Office 02/11/2025	eService		Served
1	03/27/2025		Lebanon County District Attorney's Office
Commonwealth's Motion for Individual Voir Dire Ehrgood, Ian Means 03/27/2025	eService		Served
1	04/02/2025	03/31/2025	Jones, Charles T. Jr.
Order Granting Motion for Individual Voir Dire Ehrgood, Ian Means 04/02/2025	Interoffice Mailbox	Lebanon County Clerk of Courts	
Lebanon County District Attorney's Office 04/02/2025	Interoffice	Lebanon County Clerk of Courts	
Ehrgood, Ian Means 04/09/2025	eService		Served
Lebanon County District Attorney's Office			

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
04/09/2025	eService		Served
1	04/04/2025		Lebanon County District Attorney's Office
Commonwealth's Motion for Additional Questions Jury Individual Voir Dire			
Ehrgood, Ian Means			
04/04/2025	eService		Served
1	04/07/2025		Lebanon County District Attorney's Office
Transcript Request			
Ehrgood, Ian Means			
04/07/2025	eService		Served
1	04/09/2025	04/08/2025	Jones, Charles T. Jr.
Order Scheduling Pre-Trial Hearing			
Ehrgood, Ian Means			
04/09/2025	eService		Served
Ehrgood, Ian Means			
04/09/2025	Interoffice Mailbox		Lebanon County Clerk of Courts
Lebanon County Court Administration			
04/09/2025	Interoffice		Lebanon County Clerk of Courts
Lebanon County District Attorney's Office			
04/09/2025	eService		Served
Lebanon County District Attorney's Office			
04/09/2025	Interoffice		Lebanon County Clerk of Courts
1	05/01/2025		Rodriguez, Veronika Celeste
Certificate of Trial Readiness			
Ehrgood, Ian Means			
05/01/2025	Hand Delivered		Lebanon County Clerk of Courts
Lebanon County Court Administration			
05/01/2025	Interoffice		Lebanon County Clerk of Courts
Lebanon County District Attorney's Office			
05/01/2025	Interoffice		Lebanon County Clerk of Courts

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
Rodriguez, Veronika Celeste		Lebanon County Clerk of Courts	
05/01/2025	Hand Delivered		
Ehrgood, Ian Means			
05/02/2025	eService		Served
Lebanon County District Attorney's Office			
05/02/2025	eService		Served
<hr/>			
3	05/02/2025		Lebanon County District Attorney's Office
Transcript Request			
Ehrgood, Ian Means			
05/06/2025	eService		Served
<hr/>			
4	05/02/2025	05/02/2025	Jones, Charles T. Jr.
Proposed Question for Voir Dire of Perspective Jurors			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
05/05/2025	Interoffice		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
05/05/2025	Interoffice		
Ehrgood, Ian Means			
05/09/2025	eService		Served
Lebanon County District Attorney's Office			
05/09/2025	eService		Served
<hr/>			
5	05/02/2025		Commonwealth of Pennsylvania
Sealed Entry			
Ehrgood, Ian Means			
05/06/2025	eService		Served
Lebanon County District Attorney's Office			
05/06/2025	eService		Served
<hr/>			
6	05/02/2025	05/01/2025	Jones, Charles T. Jr.
Order Entering Exhibits in Part			
Ehrgood, Ian Means			

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
05/02/2025	eService		Served
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
05/02/2025	Interoffice Mailbox		
Lebanon County District Attorney's Office			
05/02/2025	eService		Served
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
05/02/2025	Interoffice		
<hr/>			
1	05/05/2025		Crowe, Joseph Anthony Crowe, Joseph Anthony
Entry of Appearance			
Ehrgood, Ian Means			
05/05/2025	eService		Served
Lebanon County District Attorney's Office			
05/05/2025	eService		Served
<hr/>			
2	05/05/2025		Crowe, Joseph Anthony Crowe, Joseph Anthony
Motion to Quash Subpoena			
Ehrgood, Ian Means			
05/05/2025	eService		Served
Lebanon County District Attorney's Office			
05/05/2025	eService		Served
<hr/>			
3	05/05/2025	05/05/2025	Jones, Charles T. Jr.
Order Scheduling Bail Modification Hearing			
Ehrgood, Ian Means			
05/07/2025	eService		Served
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
05/07/2025	Interoffice Mailbox		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
05/07/2025	Interoffice		
Lebanon County District Attorney's Office			

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
05/07/2025	eService		Served
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
05/07/2025	Interoffice		
4	05/05/2025		Lebanon County District Attorney's Office
Motion Requesting Bail Modification			
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
05/05/2025	Interoffice		
Ehrgood, Ian Means			
05/08/2025	eService		Served
1	05/06/2025	05/05/2025	Charles, Bradford H.
Order Scheduling Hearing			
Crowe, Joseph Anthony		Lebanon County Clerk of Courts	
05/07/2025	Interoffice		
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
05/07/2025	Interoffice Mailbox		
Lebanon County Court Administration		Lebanon County Clerk of Courts	
05/07/2025	Interoffice		
Lebanon County District Attorney's Office		Lebanon County Clerk of Courts	
05/07/2025	Interoffice		
Rodriguez, Veronika Celeste		Lebanon County Clerk of Courts	
05/07/2025	First Class		
Ehrgood, Ian Means			
05/09/2025	eService		Served
Lebanon County District Attorney's Office			
05/09/2025	eService		Served
1	05/09/2025	05/08/2025	Jones, Charles T. Jr.
Court Order			
Ehrgood, Ian Means		Lebanon County Clerk of Courts	
05/09/2025	Interoffice Mailbox		
Lebanon County Adult Probation Unit		Lebanon County Clerk of Courts	

# COURT OF COMMON PLEAS OF LEBANON COUNTY

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<u>Issue Date</u>	<u>Service Type</u>	<u>Status Date</u>	<u>Service Status</u>
05/09/2025	Interoffice		
Lebanon County District Attorney's Office	Lebanon County Clerk of Courts		
05/09/2025	Interoffice		
Lebanon County Prison	Lebanon County Clerk of Courts		
05/09/2025	Interoffice		
Ehrgood, Ian Means			
05/13/2025	eService		Served
Lebanon County District Attorney's Office			
05/13/2025	eService		Served
<hr/>			
1	05/13/2025		Lebanon County District Attorney's Office
Transcript Request			
Ehrgood, Ian Means			
05/13/2025	eService		Served

### CASE FINANCIAL INFORMATION

Last Payment Date: 05/08/2025

Total of Last Payment: -\$4.00

<b>Rodriguez, Veronika Celeste</b>	<u>Assessment</u>	<u>Payments</u>	<u>Adjustments</u>	<u>Non Monetary Payments</u>	<u>Balance</u>
Defendant					
<b>Costs/Fees</b>					
Subpoenas (Lebanon)	\$3.50	(\$3.50)	\$0.00	\$0.00	\$0.00
Copies (Lebanon)	\$0.50	\$0.00	\$0.00	\$0.00	\$0.50
Copies (Lebanon)	\$22.00	(\$22.00)	\$0.00	\$0.00	\$0.00
Copies (Lebanon)	\$38.00	(\$38.00)	\$0.00	\$0.00	\$0.00
Copies (Lebanon)	\$0.50	\$0.00	\$0.00	\$0.00	\$0.50
Copies (Lebanon)	\$0.50	\$0.00	\$0.00	\$0.00	\$0.50
Subpoenas (Lebanon)	\$4.00	(\$4.00)	\$0.00	\$0.00	\$0.00
<b>Costs/Fees Totals:</b>	<b>\$69.00</b>	<b>(\$67.50)</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1.50</b>
<b>Grand Totals:</b>	<b>\$69.00</b>	<b>(\$67.50)</b>	<b>\$0.00</b>	<b>\$0.00</b>	<b>\$1.50</b>

\*\* - Indicates assessment is subrogated

# EXHIBIT B

PURSUANT TO Pa.R.Crim. P. 114  
All parties are hereby notified

MAY 07 2025

Clerk of Courts, Lebanon, PA

ORIGINAL

SCANNED IMAGE X

IN THE COURT OF COMMON PLEAS OF LEBANON COUNTY, PENNSYLVANIA

CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA : No. CP-38-CR-430-2023

v.

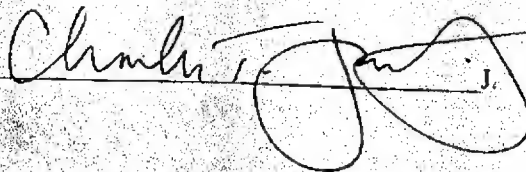
VERONIKA RODRIGUEZ

ORDER OF COURT

ENTERED & FILED  
CLERK OF COURTS  
LEBANON, PA  
2024 DEC 17 A 10:52

AND NOW, to wit, this 17<sup>th</sup> day of December 2024, it is hereby ordered that all counsel, all members of the respective offices of counsel, the Defendant, all members of the Defendant's family, all Defense witnesses and all Commonwealth witnesses are prohibited from disseminating any information about this case to anyone. This Order shall preclude any above listed person from speaking with anyone in the news media, online media, or any other source. All above listed individuals are prohibited from sharing any information with any other individual.

BY THE COURT,



cc: Court Administration IO  
District Attorney's Office IO  
Ian Ehrgood, Esquire IO/MB

PURSUANT TO Pa.R.Crim. P. 114  
All parties are hereby notified

DEC 17 2024

Clerk of Courts

# EXHIBIT C

ORIGINAL

SCANNED IMAGE X

IN THE COURT OF COMMON PLEAS OF LEBANON COUNTY  
PENNSYLVANIA

ENTERED & FILED  
CLERK OF COURTS  
LEBANON, PA

2025 MAY -9 P 3:08

CRIMINAL

COMMONWEALTH OF PENNSYLVANIA : No. CP-38-CR-430-2023  
v. : Commonwealth's Motion  
VERONIKA RODRIGUEZ : for Bail Modification/  
: Motion to Quash Subpoena

ORDER

AND NOW, to wit, May 8, 2025, the December 17th, 2024,

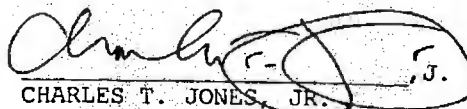
Order entered in this case is modified to add as follows:

The Defendant may not communicate with any  
Commonwealth witnesses, and may not communicate anything  
related to this case with any other individuals at any time  
except for counsel, defense witnesses and family members.

All other provisions of the original December 17th,  
2024, Order remain in full force and effect.

Leave is open should either party wish to refile this  
prior to the trial.

BY THE COURT:

  
CHARLES T. JONES, JR.

cc: District Attorney JJ  
Ian Ehrgood, Esquire JMA  
Prison JMA  
Adult Probation JMA  
mlb

PURSUANT TO Pa.R.Crim. P. 114  
All parties are hereby notified

MAY 09 2025

Clerk of Courts, Lebanon, PA

**IN THE COURT OF COMMON PLEAS OF LEBANON COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION**

<b>COMMONWEALTH OF PENNSYLVANIA,</b>	:	
	:	<b>No. CP-38-CR-430-2023</b>
<b>v.</b>	:	
	:	
<b>VERONIKA RODRIGUEZ</b>	:	
<b>DEFENDANT</b>	:	

**BRIEF IN SUPPORT OF MEDIA INTERVENORS' CONTESTED  
MOTION TO INTERVENE AND UNSEAL**

Proposed intervenors LebTown, PennLive, LNP Media Group, Inc. and WITF (collectively, "Media Intervenors") respectfully submit this brief in support of their contemporaneously filed motion to intervene and to unseal judicial records filed in the above-captioned case.

**STATEMENT OF THE CASE**

Media Intervenors provide news coverage of Lebanon County and nearby Pennsylvania communities, including coverage of public safety and criminal activity in the area. Reporters for Media Intervenors routinely cover criminal and civil cases proceeding before the Lebanon County Court of Common Pleas and local Magisterial District Judges. To provide their readers with timely and important information about news impacting their communities, Media Intervenors frequently rely on court dockets and filings.

On December 17, 2024, this Honorable Court issued an order (hereinafter, the "Gag Order") restricting who the Defendant, counsel, anyone from the respective offices of counsel, all members of the Defendant's family, and any witness to the case may speak to regarding the case. *See* Mot. at Ex. B. The Gag Order stated that those individuals are not permitted to speak to *anyone* about the case, including members of the media.

On May 8, 2025, a further order of this Court amended the Gag Order to specify exactly who the Defendant may speak to in this matter. *See* Mot. at Ex. C. It left the remaining terms of the original Gag Order in place.

Further, there are three unexplained sealed docket entries in the case, seemingly without the existence of a sealing order showing good cause on the record for barring public access. Two of the entries were filed on February 10, 2025. *See* Mot. at Ex. A. The first of the two was filed by the Lebanon County District Attorney's Office. *Id.* The second was filed by Judge Charles T. Jones Jr. *Id.* The third sealed entry was filed on May 2, 2025, by the Commonwealth of Pennsylvania. Again, on information and belief there is *no* court order that purports to seal the docket at any point in the above-captioned case.

Due to the Gag Order, Media Intervenors have had to rely exclusively on the public docket in order to obtain information about the case. Because everyone even tangentially involved in this case is subject to the Gag Order, there is no way for Media Intervenors to learn what the documents are that were filed under seal.

### **STATEMENT OF THE ISSUES INVOLVED**

The issues presented for the Court's consideration in this matter include: (1) whether Media Intervenors may intervene for the limited purpose of moving to unseal the three docket entries in the above-captioned proceeding; (2) whether the County can satisfy the heavy burden of demonstrating a compelling interest sufficient to overcome the strong presumption of public access to the sealed judicial records in their entirety, under the common law, the First Amendment, and the Pennsylvania Constitution; and (3) whether, if a compelling interest justifies continued sealing of certain judicial records or portions thereof in the above-captioned

proceeding, the continued sealing must be narrowly tailored and supported by specific, on-the-record findings?

## **ARGUMENT**

### **I. The Court should grant Media Intervenors' motion to intervene.**

Intervention in this matter is proper. “In Pennsylvania, a Motion to Intervene is the proper vehicle for the press to raise a right of access question.” *Commonwealth v. Long*, 922 A.2d 892, 895 n.1 (Pa. 2007) (citing *Commonwealth v. Fenstermaker*, 530 A.2d 414, 416 n.1 (Pa. 1987)). Pennsylvania courts consistently recognize that intervention by members of the news media is an appropriate means of vindicating the public’s right of access to judicial proceedings and records. *See id.*; *Commonwealth v. Upshur*, 924 A.2d 642, 645 (Pa. 2007); *Fenstermaker*, 530 A.2d at 416 n.1; *Cap. Cities Media, Inc. v. Toole*, 483 A.2d 1339, 1344 (Pa. 1984). Here, Media Intervenors seek to intervene for the limited purpose of asserting their right of access to judicial records under the First Amendment, the Pennsylvania Constitution, and the common law. *See Fenstermaker*, 530 A.2d at 416 n.1.

### **II. The Court should unseal the docket entries in this proceeding absent a sealing order.**

#### **A. The strong presumption of access attaches to the docket, judicial records, and proceedings in this case.**

Media Intervenors have a presumptive right of access to the docket, judicial records, and proceedings in this proceeding under the First Amendment; article 1, section 11 of the Pennsylvania Constitution; and the common law. *See, e.g., United States v. Smith*, 123 F.3d 140, 147 (3d Cir. 1997); *Fenstermaker*, 530 A.2d at 417; *Upshur*, 924 A.2d at 647. Specifically, “[d]ocket entries and other filings in a criminal proceeding are public records” to which the constitutional and common law right of access attaches. *Commonwealth v. Curley*, 189 A.3d 467, 473 (Pa. Super. Ct. 2018); *see also* 204 Pa. Code § 213.81(1)(B) (including “dockets” in

definition of “case records”); *id.* § 213.81(3) (“All case records shall be open to the public in accordance with this policy.”). A public docket is of “vital importance” because “[c]onstitutionally mandated open courtroom proceedings are of little value if the public has no means of learning where and when they will occur.” *In Re: Sealed Arrest Warrants Pursuant to PA R. Crim.513.1*, 313 A.3d 214, 221 (Pa. Super. Ct. 2024).

Here, the judicial records entered on the docket are presumptively public. *Curley*, 189 A.3d at 473. Inexplicably, however, three records have been sealed despite the fact that *no court order* purports to seal them. Further, due to the Gag Order, Media Intervenors have no possible means of learning what has been filed under seal. Even counsel in the case is prevented from informing the media what those three docket entries were. Without the ability to engage in traditional newsgathering such as consulting public records, such as the docket, or interviewing sources, Media Intervenors and the public are completely in the dark about what is happening in the criminal prosecution.

**B. The strong presumption of access to judicial records and proceedings in this case is not overcome.**

Where, as here, the constitutional presumption of access to judicial proceedings and records attaches, “[o]nly a *compelling* government interest justifies closure and then only by a means narrowly tailored to serve that interest.” *In re M.B.*, 819 A.2d 59, 63 (Pa. Super. Ct. 2003) (emphasis in original) (citations and internal quotation marks omitted). Specifically, the party seeking to restrict public access must demonstrate “that opening the proceedings will work a clearly defined and serious injury to the party seeking closure” and “that the material [it seeks to keep secret] is the kind of information that the courts will protect.” *Id.* (citations and internal quotation marks omitted). Where the common law presumption of access attaches, the party seeking closure must establish that the presumption of access is outweighed by the interests in

secrecy. *Upshur*, 924 A.2d at 651 (citing *Nixon v. Warner Commc'ns, Inc.*, 435 U.S. 589, 602 (1978)). The burden on the proponent of closure is heaviest when that party seeks to seal a case in its entirety. *Ayala v. Speckard*, 131 F.3d 62, 70 (2d Cir. 1997) (en banc) (“[T]he more extensive . . . the closure requested, the greater must be the gravity of the required interest and the likelihood of risk to that interest.”); *United States v. Doe*, 63 F.3d 121, 129 (2d Cir. 1995); *Miller v. Indiana Hosp.*, 16 F.3d 549, 551 (3d Cir. 1994) (“A party who seeks to seal an *entire* record faces an even heavier burden.”).

Procedurally, courts must publicly docket notice of a hearing on closure, permit individuals opposing closure to be heard, make specific on-the-record findings justifying closure, and explain their consideration and rejection of less-restrictive alternatives to closure. *See Press-Enter. Co. v. Superior Court*, 464 U.S. 501, 510 (1984); *United States v. Raffoul*, 826 F.2d 218, 226 (3d Cir. 1987); *Criden*, 675 F.2d at 557–60; *Upshur*, 924 A.2d at 651–52; *Commonwealth v. Hayes*, 414 A.2d 318, 322 (Pa. 1980); *Commonwealth v. Buehl*, 462 A.2d 1316, 1321–22 (Pa. Super. Ct. 1983).

Here, the strong presumption of public access is not overcome. As to the three sealed entries on the docket, again, *no* court order states that they should be sealed. Before sealing any portion of a docket, courts must make “individualized, specific, particularized findings” with respect to each docket entry. *Curley*, 189 A.3d at 473. Here, the Court has failed to state the justification that docket entries are sealed, much less issued any individualized findings to support sealing. Because no court has sealed these documents, and no compelling interest justifies sealing, the docket should be unsealed. *See id.*; *In re M.B.*, 819 A.2d at 63.

This presumption—which is always weighty—has particular force here, where a member of the community has been criminally charged following the reporting of an alleged sexual

assault to law enforcement. It is undeniable that the public has a significant, legitimate interest in timely access to the facts and legal proceedings surrounding this prosecution. Accordingly, any additional judicial records filed in the above-captioned case should be unsealed.

**III. To the extent any continued sealing is necessary, such sealing must be narrowly tailored and supported by specific, on-the-record findings.**

Even assuming, *arguendo*, that the parties could demonstrate a countervailing interest necessitating some form of closure, any such access restrictions must be no broader than necessary to serve that interest. *Press-Enter. Co.*, 464 U.S. at 510; *Buehl*, 462 A.2d at 1322. Further, any such continued sealing must be supported by specific, on-the-record factual findings. *Upshur*, 924 A.2d at 651 (citing *Fenstermaker*, 530 A.2d at 420–21).

Accordingly, if the Court finds any continued sealing is necessary in the above-captioned case, Media Intervenors respectfully ask the Court to enter a sealing order. Media Intervenors ask the Court to place its findings on the record, explaining why the presumptive right of access is overcome, as well as why less restrictive alternatives do not adequately protect the interests at stake.

## **CONCLUSION**

For the reasons set forth above, Media Intervenors respectfully request that the Court grant their motion to intervene and enter an order unsealing the three docket entries currently sealed on this docket. Media Intervenors respectfully request that they be heard on this Motion as soon as possible.

Dated: May 19, 2025

Respectfully submitted,



Paula Knudsen Burke

PA ID 87607

REPORTERS COMMITTEE FOR

FREEDOM OF THE PRESS

4000 Crum Mills Rd., Ste. 101

Harrisburg, PA 17112

(717) 370-6884

[pknudsen@rcfp.org](mailto:pknudsen@rcfp.org)

*Counsel for Media Intervenors*

### **CERTIFICATE OF COMPLIANCE**

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

Submitted by:

Paula Knudsen Burke

PA Attorney ID: 87607

## **CERTIFICATE OF SERVICE**

I, Paula Knudsen Burke, hereby certify that on May 19, 2025, I served a true and correct copy of the foregoing Brief in Support of Contested Motion to Intervene and Unseal, via email, upon the following individuals:

Pier Hess Graf  
Lebanon County District Attorney's Office  
400 South Eighth St.  
Room 11  
Lebanon, PA 17042  
[pier.graf@lebanoncountypa.gov](mailto:pier.graf@lebanoncountypa.gov)

*Counsel for the Commonwealth*

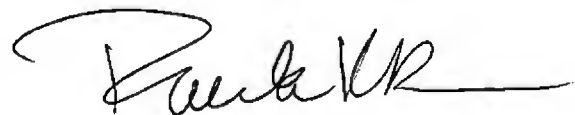
Ian Means Ehrgood  
410 Chestnut St.  
Lebanon, PA 17042  
[imehrgood@gmail.com](mailto:imehrgood@gmail.com)

*Counsel for Defendant*

Joseph A. Crowe  
525 South Eighth St.  
Lebanon, PA 17042  
717-274-1421  
[crowe@buzgondavis.com](mailto:crowe@buzgondavis.com)

*Counsel for Kristina Kolb and Diana Kolb*

Dated: May 19, 2025



Paula Knudsen Burke  
PA ID 87607  
REPORTERS COMMITTEE FOR  
FREEDOM OF THE PRESS  
4000 Crum Mills Rd., Ste. 101  
Harrisburg, PA 17112  
(717) 370-6884  
[pknudsen@rcfp.org](mailto:pknudsen@rcfp.org)

*Counsel for Media Intervenors*

**IN THE COURT OF COMMON PLEAS OF LEBANON COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION**

**COMMONWEALTH OF  
PENNSYLVANIA,**

**v.**

**VERONIKA RODRIGUEZ  
DEFENDANT**

:  
:  
:  
:  
:

**No. CP-38-CR-430-2023**

**[PROPOSED] ORDER**

AND NOW, this \_\_\_\_ day of \_\_\_\_\_, 2025, upon consideration of the Media Intervenors' Contested Motion to Intervene and Unseal it is **ORDERED** as follows:

1. After consideration of arguments from the Commonwealth, Defense and counsel for any interested parties, the Court **HEREBY** finds that the Motion is **GRANTED** in full;
2. Media Intervenors' motion to intervene is **GRANTED**;
3. Media Intervenors' motion to unseal the three sealed docket entries is **GRANTED**;
4. The Lebanon County Clerk of Courts is **HEREBY ORDERED** to immediately unseal the three sealed docket entries and make all filings available for public view.

\_\_\_\_\_, J.