



DISTRICT ATTORNEY'S OFFICE
1421 ARCH STREET
PHILADELPHIA, PENNSYLVANIA 19102
686-8000

RONALD D. CASTILLE
DISTRICT ATTORNEY

FEB 28 1990

February 20, 1990

Honorable Albert F. Sabo
Court of Common Pleas
538 City Hall
Philadelphia, Pennsylvania 19107

Re: Commonwealth v. Matthew Connor
C.P. November Term, 1978, Nos. 1679-1682

Dear Judge Sabo:

Enclosed please find the original and one copy of a Petition In The Nature Of A Petition For Relief Under The Post Conviction Relief Act in the above matter. By this petition the District Attorney, as a consequence of a reexamination of this case which brought to light additional evidence which may be helpful to defendant Connor, and in the interests of justice, asks this Court to enter a new trial order so as to permit the case against Mr. Connor to be submitted to a second finder of fact. It is further respectfully requested that such an order be entered forthwith so that a retrial may be promptly commenced.

Thank you for your consideration.

Respectfully yours,

BARBARA CHRISTIE
Assistant District Attorney
Chief, Homicide Unit

/ec

cc Dennis Cogan, Esquire
Reverend James McCloskey

Enclosures

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
TRIAL DIVISION, CRIMINAL SECTION

COMMONWEALTH OF PENNSYLVANIA : NOVEMBER TERM, 1978
V. :
MATTHEW CONNOR : NOS. 1679-1682

O R D E R

AND NOW, this *20th* day of February, 1990, upon consideration of the attached petition for relief under the Post Conviction Relief Act (42 Pa. C.S.A. §9541 et seq.), it is hereby ORDERED AND DECREED that a new trial is granted in the above-captioned matter.

BY THE COURT:

Albert F. Sabo

SABO, J.

HEREBY CERTIFY the foregoing is
true and correct copy of the original
_____ as filed of record
in this office.

[Signature]

PRO CLERK
QUARTER SESSIONS COURT

IN THE COURT OF COMMON PLEAS OF PHILADELPHIA COUNTY
TRIAL DIVISION, CRIMINAL SECTION

COMMONWEALTH OF PENNSYLVANIA : NOVEMBER TERM, 1978

V. :

MATTHEW CONNOR : NOS. 1679-1682

PETITION IN THE NATURE OF A PETITION FOR RELIEF UNDER
THE POST CONVICTION RELIEF ACT (42 PA. C.S.A. §9541 ET SEQ.)

TO THE HONORABLE ALBERT F. SABO, JUDGE OF THE SAID COURT:

RONALD D. CASTILLE, District Attorney of Philadelphia County, by his Assistants, RAYMOND J. HARLEY, Deputy District Attorney, BARBARA CHRISTIE, Chief, Homicide Unit, and HILARY CONNOR, Assistant District Attorney, respectfully requests that a new trial be granted to defendant Matthew Connor, with respect to the charges as captioned above, and in support thereof respectfully represents:

1. On March 15, 1980, defendant Matthew Connor was convicted of first degree murder and rape in connection with a 1978 killing. As a consequence of that conviction, he is now serving a life sentence at the State Correctional Institution at Dallas.

2. Your Honor presided at the trial which resulted in defendant Connor's conviction, as well as at a prior trial which ended in the declaration of a mistrial because of a hung jury.

3. Recently members of this office, with the cooperation and assistance of the Philadelphia Police Department, have reexamined and reinvestigated aspects of this case.

4. As a result of that reexamination and reinvestigation, information has come to light which might be helpful to the defendant and which might affect any eventual verdict.

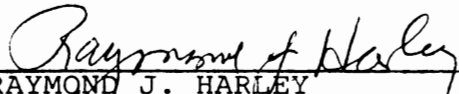
5. The District Attorney's Office, which is prepared promptly to retry defendant Connor, believes that the previously-cited evidence warrants having the case against Mr. Connor submitted to a second finder of fact. Because of that belief, and in the interests of justice, the District Attorney of Philadelphia County asks this Court to enter an order granting a new trial to Mr. Connor and thereby to allow the case against him to be presented to a second fact finder.

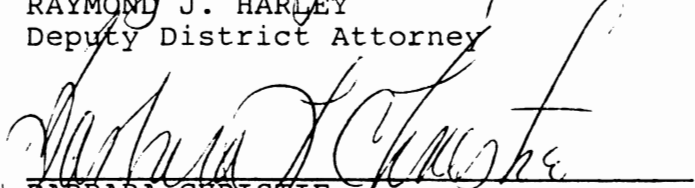
FOR THE FOREGOING REASONS, it is respectfully requested that a new trial order be entered in this case.

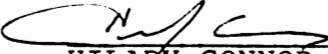
Respectfully submitted,

RONALD D. CASTILLE
District Attorney

By:


RAYMOND J. HARLEY
Deputy District Attorney


BARBARA CHRISTIE
Chief, Homicide Unit


HILARY CONNOR
Assistant District Attorney