

IN THE COURT OF COMMON PLEAS OF SOMERSET COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA

CP-56-CR-0000700-2021

v.

JEFFREY LYNN THOMAS,
Defendant

MOTION TO REVOKE BOND

FILED ON BEHALF OF THE
COMMONWEALTH OF PENNSYLVANIA

JOSH SHAPIRO
ATTORNEY GENERAL

BY

PATRICK J. SCHULTE
SR. DEPUTY ATTORNEY GENERAL

AND

TOMM A. MUTSCHLER
SR. DEPUTY ATTORNEY GENERAL

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v. :

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AND NOW, comes the Commonwealth, by and through Attorney General JOSH SHAPIRO, Senior Deputy Attorney General PATRICK J. SCHULTE and Senior Deputy Attorney General TOMM A. MUTSCHLER, and hereby submits the following Motion to Revoke Bond in the above-captioned case, and in support thereof, asserts the following:

1. Jeffrey Lynn Thomas (hereinafter referred to as “the defendant”) is charged at the above-captioned case with one (1) count of Sexual Assault, 18 Pa.C.S. §3124.1, and related offenses for the September, 2021 assault on an adult female at her home in Windber, Somerset county;
2. On April 27, 2022, Windber Police filed summary charges of Harassment, 18 Pa.C.S. §2709(a)(1), Reckless Driving, 75 Pa.C.S. §3736, and Failure to Stop at Stop Signs, 75 Pa.C.S. §3323;
3. In the early morning hours of March 31, 2022, the defendant chased a Commonwealth witness through the streets of Windber and used his motor vehicle to strike the motor vehicle of the witness, causing significant damage to the witness’ vehicle;
4. After the collision, the defendant got out of his vehicle, approached the vehicle of the witness, and taunted the witness. This was captured by police officer dashcam/bodycam video;

5. The witness was terrified by the entire incident;
6. The defendant has no reason to have any type of contact with the witness and the only connection between the witness and the defendant is the witness' involvement in the above-captioned case;
7. The defendant knows that the witness is a witness in the above-captioned case because a report bearing the witness' name appears in discovery already provided to the defendant;
8. The witness is a close personal friend of the victim in the above-captioned case – a point made clear in the discovery already provided to the defendant;
9. The defendant's bond conditions include, *inter alia*, that he (1) "must neither do, nor cause to be done, nor permit to be done on his/her behalf any act as prescribed by section 4952 of the Crimes Code (relating to intimidation of witness or victims, or by section 4953 of the Crimes Code (relating to retaliation against witness or victims), and (2) "refrain from criminal activity";
10. The defendant is also not to have any direct or indirect contact with Commonwealth witnesses in the above-captioned case;
11. In addition, the defendant has been involved in other incidents recently that have resulted in interactions with the police:
 - a. On April 9, 2022, the Windber Police responded to a 911 call to the defendant's address for report of a domestic incident between the defendant and his wife. A witness told investigators that while she was on a FaceTime call with one of the defendant's children, she heard the defendant's wife say, "Jeff! Stop hitting me" following by a series of thumps.

- b.** On March 8, 2022, the Windber Police observed two vehicles following one another accelerate into the Windber Police Department Parking Lot. The defendant, identified as one of the drivers, was observed waving his arms at the driver of the other vehicle, identified as the defendant's wife. As the police were attempting to interact with the defendant, he got into his vehicle and drove away. When the defendant's wife was asked what happened, she stated "Jeff (referring to the defendant) was just mad at me but everything is fine". When asked why they came to the police department the way they did if everything is fine, the defendant's wife responded, "It was convenient".
 - c.** On April 25, 2022, the defendant was arrested and charged with Simple Assault, 18 Pa.C.S. §2702(a)(1), Recklessly Endangering Another Person, 18 Pa.C.S. §2705, and Harrasment, 18 Pa.C.S. §2709(a)(1), for a May 15, 2021 incident in which it is alleged he caused physical harm to his wife. While that incident preceded the one in the above-captioned case, had the bail authority known about it at the time he set bail in the case *sub judice*, it surely would have been set at a higher amount and/or with more stringent restrictions. Furthermore, it fits within a pattern of violent behavior that this Honorable Court should consider while ruling upon this motion.
- 12.** The defendant has violated the conditions of his bond such that no condition or combination of conditions other than imprisonment will reasonably assure the safety of any person and/or the community.

WHEREFORE, the undersigned respectfully requests that this Motion to Revoke the defendant's Bond be GRANTED.

Respectfully Submitted,

Patrick Schulte

Patrick J. Schulte
Senior Deputy Attorney General

Tomm Mutschler

Tomm A. Mutschler
Senior Deputy Attorney General