


COMMONWEALTH : IN THE COURT OF COMMON PLEAS OF
 : CUMBERLAND COUNTY, PENNSYLVANIA
 v. :
 :
 LETITIA DENISE SMALLWOOD : CP-21-CR-88-1972
 :
 :

ORDER OF COURT

AND NOW, this 20th day of April, 2015, after having heard the evidence and having reviewed the briefs filed by the parties in support of their respective positions, we are satisfied that petitioner has met her burden of proving that she is entitled to relief under the Post Conviction Relief Act on the basis of newly discovered evidence, *i.e.* the revolutionary advances in fire science since her conviction. Her expert testified that the state police fire marshal's conclusions were based upon flawed scientific methodology and were, therefore, incorrect. His testimony, if believed by a jury, would compel a different result.¹ Consequently, Petitioner's request for relief is GRANTED, the judgments of sentence are VACATED and Petitioner is GRANTED a new trial. We will conduct a hearing on the issue of bail on April 24, 2015 at 2:00 p.m.

By the Court,

 Edward E. Guido, J.

APR 20 2015 2:00 PM

¹ We note that we found Dr. Sutula's testimony to be credible in determining whether petitioner met her burden of proof in these proceedings.