

SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,
Appellee

v.

DEREK LEE,
Appellant

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No. 3 WAP 2024

PETITION FOR EXTENSION OF STAY

AND NOW, comes the Commonwealth of Pennsylvania, by its Attorneys, STEPHEN A. ZAPPALA, JR., District Attorney of Allegheny County, and KEVIN F. MCCARTHY, Assistant District Attorney, and respectfully requests this Honorable Court to extend the stay of its previously entered stay for an additional 120 days for the following reasons:

1. On March 26, 2026, the Court entered its Order in the above captioned case reversing the Order of the Superior Court, vacating the judgment of sentence and remanding the case for resentencing.

2. In doing so, the Court found that a sentence of life without the possibility of parole for Second Degree Murder violated the Pennsylvania Constitution's prohibition on cruel punishments. Slip Op. at p.70.

3. Nonetheless, "cognizant of the impact our decision today will have, we will stay our mandate for 120 days in order to provide a reasonable amount of time for the General Assembly to consider appropriate remedial measures." Slip Op at p. 72

4. The 120th day from the Court's Order is Friday, July 24, 2026.

5. Your petitioner can report that since this Court's decision, the General Assembly and the Governor have been working to fashion a new sentencing scheme that will comply with this Honorable Court's decision. Each Chamber has drafted its own version of a reformed sentencing scheme. On June 25, 2026, the Senate passed SB 1400, PN1836. (Attached hereto as Commonwealth's Exhibit A). And on July 23, 2026, the House was in session and debating HB 1042, PN3793, which is a comprehensive package of statutory changes relating to, *inter alia*, sentencing reform for second degree murder. (Not attached due to its length). Unfortunately, the General Assembly is still working to find a suitable compromise to resolve the issue. And while the General Assembly was able to pass a Budget for the coming year, it is about to recess for the summer without agreeing on a proposal to create a new sentencing scheme.

6. The General Assembly is scheduled to return to continue its business in mid-September. For this reason, your petitioner is requesting that the Court extend the current stay of its mandate for an additional 120 days.

7. Importantly, appellant will not suffer any prejudice as a result of extending the stay, because despite being sentenced in the instant case on December 19, 2016, appellant did not begin to serve the instant sentence until March 23, 2023. Before the events that precipitated the instant prosecution, appellant was on parole for an unrelated sentence at No. CP-02-CR-0014921-2006, which was then revoked following the institution of the current charges. Therefore, the current sentence could not begin until that sentence was satisfied. (See Sentence Status Summary, attached here to as Commonwealth's Exhibit B).

Appellant did have pretrial credit of approximately two years applied to the instant sentence, and therefore, he has served approximately 5 and one half years of this sentence.

WHEREFORE, for the foregoing reasons, the Commonwealth respectfully requests that the stay entered March 26, 2026, be extended for an additional 120 days..

Respectfully submitted,

STEPHEN A. ZAPPALA, JR.
DISTRICT ATTORNEY

By:

/s/ Kevin F. McCarthy
KEVIN F. MCCARTHY
ASSISTANT DISTRICT ATTORNEY
PA. I.D. NO. 47254

Attorneys for Appellee

PROOF OF SERVICE

I hereby certify that I am this day serving one (1) copy of the within
Petition for Extension of Stay upon Appellant in the manner indicated below which service
satisfies the requirements of Pa.R.A.P. 121:

Electronic filing by PACFile addressed as follows:

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P.O. Box 8654
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Dated: July 23, 2026

/s/ Kevin F. McCarthy
KEVIN F. MCCARTHY
ASSISTANT DISTRICT ATTORNEY
PA. I.D. NO. 47254

Office of the District Attorney
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Pittsburgh, Pennsylvania 15219
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THE GENERAL ASSEMBLY OF PENNSYLVANIA

SENATE BILL

No. 1400 Session of
2026

INTRODUCED BY BAKER, LANGERHOLC, K. WARD, PITTMAN, YAW, PICOZZI,
GEBHARD, ROBINSON, PENNYCUICK, VOGEL, CULVER, ARGALL, DUSH
AND STEFANO, JUNE 22, 2026

SENATOR BAKER, JUDICIARY, AS AMENDED, JUNE 23, 2026

AN ACT

1 Amending Titles 18 (Crimes and Offenses), 42 (Judiciary and
2 Judicial Procedure) and 61 (Prisons and Parole) of the
3 Pennsylvania Consolidated Statutes, in authorized disposition
4 of offenders, further providing for sentence for murder,
5 murder of unborn child and murder of law enforcement officer
6 and providing for sentence for murder of the second degree;
7 in sentencing, further providing for sentences for second and
8 subsequent offenses and for life imprisonment for homicide;
9 and, in motivational boot camp, further providing for
10 definitions; in Pennsylvania Board of Probation and Parole,
11 providing for parole eligibility for offenders sentenced to
12 life for murder of the second degree and further providing
13 for parole procedure and for victim statements, testimony and
14 participation in hearing.

15 The General Assembly of the Commonwealth of Pennsylvania
16 hereby enacts as follows:

17 Section 1. Section 1102(b) of Title 18 of the Pennsylvania
18 Consolidated Statutes is amended to read:

19 § 1102. Sentence for murder, murder of unborn child and murder
20 of law enforcement officer.

21 * * *

22 (b) Second degree.--Except as provided under section 1102.1,
23 a person who has been convicted of [murder of the second degree,

Appendix A

1 of] second degree murder of an unborn child or of second degree
2 murder of a law enforcement officer shall be sentenced to a term
3 of life imprisonment.

4 * * *

5 Section 2. Title 18 is amended by adding a section to read:

6 § 1102.2. Sentence for murder of the second degree.

7 (a) Sentencing.--Except as provided under subsections (b)
8 and (c), a defendant who has been convicted of murder of the
9 second degree and who was 18 years of age or older at the time
10 of the commission of the offense shall be sentenced to a term of
11 imprisonment, the minimum of which shall be fixed by the court
12 at not less than 35 years and the maximum of which may not
13 exceed life imprisonment.

14 (b) Life without parole.--

15 (1) The court may sentence a defendant who has been
16 convicted of murder of the second degree and who was 18 years
17 of age or older at the time of the commission of the offense
18 to life imprisonment without parole if the finder of fact
19 determines beyond a reasonable doubt that:

20 (i) the defendant caused the death of the victim;

21 and

22 (ii) at least one of the following:

23 (A) the victim was a law enforcement officer or
24 a child under 13 years of age;

25 (B) during the commission of the offense, the
26 defendant engaged as a principal in rape or deviate
27 sexual intercourse by force;

28 (C) the defendant was previously convicted of a
29 crime of violence; or

30 (D) in addition to a victim described in

1 subparagraph (i), the defendant caused serious bodily
2 injury or death to another victim DURING THE <--
3 COMMISSION OF THE OFFENSE.

4 (2) The Commonwealth shall provide reasonable notice to
5 the defendant of its intention to seek a sentence of life
6 imprisonment without parole under this subsection. The notice
7 shall be provided by specifically alleging in the charging
8 document any fact authorizing a life without parole sentence
9 under paragraph (1).

10 (c) Sentencing mitigation.--

11 ~~(1) Except when a sentence of life imprisonment without~~ <--
12 ~~parole is authorized under subsection (b)(1) EXCEPT WHEN THE~~ <--
13 FINDER OF FACT HAS DETERMINED, UNDER SUBSECTION (B) (1) (I),
14 THAT THE DEFENDANT CAUSED THE DEATH OF THE VICTIM AND AT
15 LEAST ONE OF THE FACTS DESCRIBED IN SUBSECTION (B) (1) (II) (A),
16 (B), (C) OR (D) EXISTS, a defendant who has been convicted of
17 murder of the second degree and who was 18 years of age or
18 older at the time of the commission of the offense may be
19 sentenced to a minimum term of imprisonment of less than 35
20 years, but not less than 10 years, and the maximum of which
21 may not exceed 40 years, if the defendant proves AT <--
22 SENTENCING by a preponderance of the evidence, and the court
23 specifically finds, all of the following:

24 (i) The defendant was not the only participant in
25 the commission of the offense.

26 (ii) The defendant did not cause, intend to cause or
27 attempt to cause the victim's death or in any way
28 solicit, request, conspire, command, plan or further aid
29 another to commit the underlying felony or cause the
30 victim's death.

1 (iii) The defendant did not brandish, use or
2 threaten to use a deadly weapon in the commission of the
3 offense.

4 (iv) The defendant had no reason to believe that any
5 other participant would use a deadly weapon.

6 (v) The defendant had no reason to believe that any
7 other participant intended to engage in conduct likely to
8 result in death or serious bodily injury to any person.

9 (vi) The defendant did not cause serious bodily
10 injury to another during the commission of the offense.

11 (2) Nothing in this subsection shall be interpreted to
12 authorize the court to override or otherwise contradict a
13 jury's specific finding regarding whether a fact described
14 under subsection (b) (1) was proven beyond a reasonable doubt.

15 (D) CULPABILITY ASSESSMENT.--IN DECIDING THE TERM OF
16 INCARCERATION TO IMPOSE, THE COURT MAY CONSIDER ANY FACTOR
17 BEARING ON THE DEFENDANT'S CULPABILITY AND THE NATURE AND
18 CIRCUMSTANCES OF THE OFFENSE, INCLUDING:

19 (1) THE IMPACT OF THE OFFENSE ON EACH VICTIM, INCLUDING
20 ORAL AND WRITTEN VICTIM IMPACT STATEMENTS MADE OR SUBMITTED
21 BY FAMILY MEMBERS OF THE VICTIM DETAILING THE PHYSICAL,
22 PSYCHOLOGICAL AND ECONOMIC EFFECTS OF THE CRIME ON THE VICTIM
23 AND THE VICTIM'S FAMILY. A VICTIM IMPACT STATEMENT MAY
24 INCLUDE COMMENT ON THE SENTENCE OF THE DEFENDANT.

25 (2) THE IMPACT OF THE OFFENSE ON THE COMMUNITY.

26 (3) THE THREAT TO THE SAFETY OF THE PUBLIC OR ANY
27 INDIVIDUAL POSED BY THE DEFENDANT.

28 (4) THE NATURE AND CIRCUMSTANCES OF THE OFFENSE
29 COMMITTED BY THE DEFENDANT.

30 (5) THE DEGREE OF THE DEFENDANT'S CULPABILITY.

1 (6) GUIDELINES FOR SENTENCING AND RESENTENCING ADOPTED
2 BY THE PENNSYLVANIA COMMISSION ON SENTENCING.

3 (7) CHARACTERISTICS OF THE DEFENDANT, INCLUDING:

4 (I) AGE.

5 (II) MENTAL CAPACITY.

6 (III) MATURITY.

7 (IV) THE DEGREE OF CRIMINAL SOPHISTICATION EXHIBITED
8 BY THE DEFENDANT.

9 (V) THE NATURE AND EXTENT OF ANY PRIOR DELINQUENT OR
10 CRIMINAL HISTORY, INCLUDING THE SUCCESS OR FAILURE OF ANY
11 PREVIOUS ATTEMPTS BY THE COURT TO REHABILITATE THE
12 DEFENDANT.

13 (VI) PROBATION OR INSTITUTIONAL REPORTS.

14 (8) OTHER RELEVANT FACTORS.

15 ~~(d)~~ (E) Definitions.--As used in this section, the following <--
16 words and phrases shall have the meanings given to them in this
17 subsection unless the context clearly indicates otherwise:

18 "Crime of violence." As defined in 42 Pa.C.S. § 9714(g)
19 (relating to sentences for second and subsequent offenses).

20 "Deadly weapon." As defined in section 2301 (relating to
21 definitions).

22 "Principal." As defined in section 2502(d) (relating to
23 murder).

24 "Serious bodily injury." As defined in section 2301.

25 Section 3. Sections 9714(g) and 9715(a) of Title 42 are
26 amended to read:

27 § 9714. Sentences for second and subsequent offenses.

28 * * *

29 (g) Definition.--As used in this section, the term "crime of
30 violence" means murder of the second degree or the third degree,

1 voluntary manslaughter, manslaughter of a law enforcement
2 officer as defined in 18 Pa.C.S. § ~~2507(c) or (d)~~ ~~2507~~ <--
3 (relating to criminal homicide of law enforcement officer),
4 murder of the third degree involving an unborn child as defined
5 in 18 Pa.C.S. § 2604(c) (relating to murder of unborn child),
6 aggravated assault of an unborn child as defined in 18 Pa.C.S. §
7 2606 (relating to aggravated assault of unborn child),
8 aggravated assault as defined in 18 Pa.C.S. § 2702(a)(1) or (2)
9 (relating to aggravated assault), assault of law enforcement
10 officer as defined in 18 Pa.C.S. § 2702.1(a)(1) (relating to
11 assault of law enforcement officer), use of weapons of mass
12 destruction as defined in 18 Pa.C.S. § 2716(b) (relating to
13 weapons of mass destruction), terrorism as defined in 18 Pa.C.S.
14 § 2717(b)(2) (relating to terrorism), strangulation when the
15 offense is graded as a felony as defined in 18 Pa.C.S. § 2718
16 (relating to strangulation), trafficking of persons when the
17 offense is graded as a felony of the first degree as provided in
18 18 Pa.C.S. § 3011 (relating to trafficking in individuals),
19 rape, involuntary deviate sexual intercourse, aggravated
20 indecent assault, incest, sexual assault, arson endangering
21 persons or aggravated arson as defined in 18 Pa.C.S. § 3301(a)
22 or (a.1) (relating to arson and related offenses), ecoterrorism
23 as classified in 18 Pa.C.S. § 3311(b)(3) (relating to
24 ecoterrorism), kidnapping, burglary as defined in 18 Pa.C.S. §
25 3502(a)(1) (relating to burglary), robbery as defined in 18
26 Pa.C.S. § 3701(a)(1)(i), (ii) or (iii) (relating to robbery), or
27 robbery of a motor vehicle, drug delivery resulting in death as
28 defined in 18 Pa.C.S. § 2506(a) (relating to drug delivery
29 resulting in death), or criminal attempt, criminal conspiracy or
30 criminal solicitation to commit murder or any of the offenses

1 listed above, or an equivalent crime under the laws of this
2 Commonwealth in effect at the time of the commission of that
3 offense or an equivalent crime in another jurisdiction.

4 § 9715. Life imprisonment for homicide.

5 (a) Mandatory life imprisonment.--Notwithstanding the
6 provisions of section 9712 (relating to sentences for offenses
7 committed with firearms), 9713 (relating to sentences for
8 offenses committed on public transportation) or 9714 (relating
9 to sentences for second and subsequent offenses), any person
10 convicted of murder of the second degree or murder of the third
11 degree in this Commonwealth who has previously been convicted at
12 any time of murder or voluntary manslaughter in this
13 Commonwealth or of the same or substantially equivalent crime in
14 any other jurisdiction shall be sentenced to life imprisonment,
15 notwithstanding any other provision of this title or other
16 statute to the contrary.

17 * * *

18 Section 4. The definition of "eligible inmate" in section
19 3903 of Title 61 is amended to read:

20 § 3903. Definitions.

21 The following words and phrases when used in this chapter
22 shall have the meanings given to them in this section unless the
23 context clearly indicates otherwise:

24 * * *

25 "Eligible inmate." A person sentenced to a term of
26 confinement under the jurisdiction of the Department of
27 Corrections who is serving a term of confinement, the minimum of
28 which is not more than two years and the maximum of which is
29 five years or less, or an inmate who is serving a term of
30 confinement, the minimum of which is not more than three years

1 where that inmate is within two years of completing his minimum
2 term, and who has not reached 40 years of age at the time he is
3 approved for participation in the motivational boot camp
4 program. The term shall not include any inmate who is subject to
5 a sentence the calculation of which included an enhancement for
6 the use of a deadly weapon as defined pursuant to the sentencing
7 guidelines promulgated by the Pennsylvania Commission on
8 Sentencing, any inmate who has been convicted or adjudicated
9 delinquent of any crime listed under 42 Pa.C.S. Ch. 97 Subch. H
10 (relating to registration of sexual offenders) or I (relating to
11 continued registration of sexual offenders) or any inmate with a
12 current conviction or a prior conviction within the past ten
13 years for 18 Pa.C.S. § 2502 (relating to murder), drug
14 trafficking as defined in section 4103 (relating to definitions)
15 or a crime of violence as defined in 42 Pa.C.S. § 9714(g)
16 (relating to sentences for second or subsequent offenses) or who
17 has ever been convicted of murder of the second degree or
18 criminal attempt, criminal solicitation or criminal conspiracy
19 to commit any of these offenses.

20 * * *

21 Section 5. Title 61 is amended by adding a section to read:
22 § 6137.3. Parole eligibility for offenders sentenced to life
23 for murder of the second degree.

24 ~~(a) Parole.~~ <--

25 ~~(1) Notwithstanding section 6137(a) (relating to parole~~
26 ~~power), the board shall have the power to parole an offender~~
27 ~~who is serving a sentence of life imprisonment for a~~
28 ~~conviction of murder of the second degree that was imposed~~
29 ~~prior to the effective date of this paragraph and who is not~~
30 ~~otherwise precluded from parole eligibility under subsection~~

~~(b), if:~~

~~(i) the offender has served at least 35 years
incarceration of the life sentence; or~~

~~(ii) the offender is 70 years of age or older and
has served at least 20 years incarceration of the life
sentence.~~

~~(2) Notwithstanding section 6137(a), the board shall
have the power to parole an offender sentenced under 18
Pa.C.S. § 1102.2(a) or (c) (relating to sentence for murder
of the second degree). The power to parole granted to the
board under this paragraph may not be exercised in the
board's discretion at any time before, but only after, the
expiration of the minimum term of imprisonment fixed by the
court in the court's sentence or by the Board of Pardons in a
sentence which has been reduced by commutation.~~

~~(A) PAROLE.--NOTWITHSTANDING SECTION 6137(A) (RELATING TO
PAROLE POWER), THE BOARD SHALL HAVE THE POWER TO PAROLE AN
OFFENDER WHO IS SERVING A SENTENCE OF LIFE IMPRISONMENT FOR A
CONVICTION OF MURDER OF THE SECOND DEGREE THAT WAS IMPOSED PRIOR
TO THE EFFECTIVE DATE OF THIS SUBSECTION IF:~~

~~(1) THE OFFENDER HAS SERVED AT LEAST 35 YEARS
INCARCERATION OF THE LIFE SENTENCE; OR~~

~~(2) THE OFFENDER IS 70 YEARS OF AGE OR OLDER AND HAS
SERVED AT LEAST 20 YEARS INCARCERATION OF THE LIFE SENTENCE.~~

~~(b) Exclusions.--Subsection (a)(1) shall not apply to an
offender convicted of murder of the second degree who:~~

~~(1) was sentenced to life imprisonment without parole
under 18 Pa.C.S. § 1102.1(b) (relating to sentence of persons
under the age of 18 for murder, murder of an unborn child and
murder of a law enforcement officer);~~

1 (2) was under 18 years of age at the time of the
2 commission of the offense and was resentenced to life
3 imprisonment without parole after June 24, 2012;

4 ~~(3) is the subject of an outstanding warrant, detainer~~ <--
5 ~~or equivalent writ of another jurisdiction, including a term~~
6 ~~of incarceration that was imposed for a separate offense;~~

7 ~~(4) (3) killed, intended to kill or attempted to kill a~~ <--
8 ~~law enforcement officer during the commission of the offense;~~
9 ~~or~~

10 ~~(5) (4) participated in the perpetration of rape or~~ <--
11 ~~deviate sexual intercourse by force during the commission of~~
12 ~~the offense.~~

13 (c) Board considerations.--In addition to any other
14 requirement under this chapter, in considering whether to grant
15 parole to an offender made eligible under subsection (a), the
16 board shall:

17 (1) Give primary consideration to the protection of the
18 public and to the safety of the victim or any other person.

19 (2) Consider the nature and circumstances of the
20 offense, including:

21 (i) The degree of the offender's culpability in the
22 victim's death and the perpetration of the underlying
23 felony.

24 (ii) Whether the offender caused, intended to cause
25 or attempted to cause the victim's death.

26 (iii) Any other circumstance the board deems
27 relevant in deciding whether to grant or deny parole.

28 (d) Additional requirements.--

29 (1) Notwithstanding any other provision of this chapter,
30 a majority of the board shall be required to make decisions

1 regarding parole under this section. Only board members shall
2 vote on whether to grant parole under this section. Prior to
3 voting, each board member shall review any victim statement
4 and testimony provided under section 6140 (relating to victim
5 statements, testimony and participation in hearing).

6 (2) The board may not consider parole in any case where
7 the board or the Office of Victim Advocate fails to comply
8 with the procedures specified in this section or section
9 6140.

10 (e) Limitations.--

11 (1) The provisions of this section shall not affect the
12 sentence or parole eligibility for any term of imprisonment
13 imposed for a separate offense.

14 (2) Nothing under this section shall be interpreted as
15 granting a right to be paroled to any offender.

16 (3) A decision by the board relating to an offender who
17 is eligible for parole under subsection (a) or sentenced
18 under 18 Pa.C.S. § 1102.1 may not be considered an
19 adjudication under 2 Pa.C.S. Chs. 5 Subch. A (relating to
20 practice and procedure of Commonwealth agencies) and 7 Subch.
21 A (relating to judicial review of Commonwealth agency
22 action).

23 Section 6. Section 6139(a) (3.1) and (3.2) of Title 61 are
24 amended to read:

25 § 6139. Parole procedure.

26 (a) Specific requirements.--

27 * * *

28 (3.1) Notwithstanding paragraphs (2) and (3), the board
29 shall not be required to consider nor to dispose of an
30 application by an offender or an offender's attorney in the

1 case of an offender who is eligible for parole under section
2 6137.3(a) or sentenced under 18 Pa.C.S. § 1102.1 (relating to
3 sentence of persons under the age of 18 for murder, murder of
4 an unborn child and murder of a law enforcement officer) or
5 18 Pa.C.S. § 1102.2 (relating to sentence for murder of the
6 second degree) if a parole decision has been issued by the
7 board within five years of the date of the current
8 application.

9 (3.2) Nothing under this section shall be interpreted as
10 granting a right to be paroled to any offender, and a
11 decision by the board and its designees relating to an
12 offender who is eligible for parole under section 6137.3(a)
13 or sentenced under 18 Pa.C.S. § 1102.1 may not be considered
14 an adjudication under 2 Pa.C.S. Chs. 5 Subch. A (relating to
15 practice and procedure of Commonwealth agencies) and 7 Subch.
16 A (relating to judicial review of Commonwealth agency
17 action).

18 * * *

19 Section 7. Section 6140 of Title 61 is amended by adding a
20 subsection to read:

21 § 6140. Victim statements, testimony and participation in
22 hearing.

23 * * *

24 (j) Victim notification for cases under section 6137.3(a).--
25 This subsection shall apply only to hearings regarding the
26 parole of an offender under section 6137.3(a)(1) (relating to
27 parole eligibility for offenders sentenced to life for murder of
28 the second degree). The following apply:

29 (1) The board shall ensure that victims and family
30 members have a reasonable opportunity to be heard at any

1 hearing authorized by this section. The board shall give
2 meaningful consideration to any testimony presented at the
3 hearing.

4 (2) ~~The board shall provide notice through the Office of~~ <--
5 Victim Advocate SHALL PROVIDE NOTICE to any victim or next of <--
6 kin, including to victims who are registered with the
7 Department of Corrections, the Office of Victim Advocate and
8 the Pennsylvania Parole Board and those whose whereabouts are
9 otherwise known.

10 (3) ~~The board, through the Office of Victim Advocate,~~ <--
11 shall make all reasonable efforts to effectuate notice within
12 30 days of the date that a hearing is granted and at least 60
13 days prior to the hearing.

14 (4) The board and Office of Victim Advocate shall make
15 every reasonable effort to identify, find and notify victims
16 who have not registered with the Office of Victim Advocate.

17 (5) The board and the Office of Victim Advocate shall
18 provide each board member with written notice containing one
19 of the following:

20 (i) the date and manner by which notice required
21 under this section was effectuated; or

22 (ii) a detailed description of all efforts and
23 methods employed to identify, locate and notify the
24 victim or next of kin.

25 (6) To effectuate the requirements of this subsection,
26 the board shall issue guidelines within ~~30~~ 90 days of the <--
27 effective date of this paragraph.

28 Section 8. It is the intent of this act to remedy the
29 Pennsylvania Supreme Court's decision in *Commonwealth v. Lee*,
30 2026 WL 855614 (Pa. March 26, 2026).

1 Section 9. The addition of 18 Pa.C.S. § 1102.2 shall apply
2 to:

3 (1) Offenses committed on or after the effective date of
4 this paragraph.

5 (2) Offenses committed prior to the effective date of
6 this paragraph for which judgment of sentence has not yet
7 been imposed.

8 Section 10. This act shall take effect immediately.



COMMONWEALTH OF PENNSYLVANIA
DC16E - SENTENCE STATUS SUMMARY DEPARTMENT OF CORRECTIONS

Name: Derek Lee

Inmate #: HG9088

Closed Version 2 Dated 2/22/2017 3:35:55 PM

1. REFERENCES AND IDENTIFICATION

DOC # HG9088	Commitment Name DEREK LEE	PBPP # 348FA	SID # 33765151	FBI #	Phila Photo #
DOB 12/21/1987	Place of Birth PITTSBURGH PA USA			Race B	Sex M

2. SENTENCE SUMMARY

Sent Date	County/State/Federal	Indictments	Sent Type	Minimum			Maximum		
				Y	M	D	Y	M	D
10/23/2007	Allegheny	CP14921 CT1/2006		7			14		
Plea:	Plead Guilty	OTN: G3228326	Judge: O'TOOLE, LAWRENCE J.						
Offense:	CC0901 - CRIMINAL ATTEMPT CC2502A - MURDER (1ST DEGREE)								
10/23/2007	Allegheny	CP14921 CT3/2006	CC	7			14		
Plea:	Plead Guilty	OTN: G3228326	Judge: O'TOOLE, LAWRENCE J.						
Offense:	CC0901 - CRIMINAL ATTEMPT CC2502A - MURDER (1ST DEGREE)								
10/23/2007	Allegheny	CP14921 CT5/2006	CC	7			14		
Plea:	Plead Guilty	OTN: G3228326	Judge: O'TOOLE, LAWRENCE J.						
Offense:	CC0901 - CRIMINAL ATTEMPT CC2502A - MURDER (1ST DEGREE)								
10/23/2007	Allegheny	CP14921 CT7/2006	CC	7			14		
Plea:	Plead Guilty	OTN: G3228326	Judge: O'TOOLE, LAWRENCE J.						
Offense:	CC0901 - CRIMINAL ATTEMPT CC2502A - MURDER (1ST DEGREE)								
10/23/2007	Allegheny	CP14921 CT9/2006	CC	7			14		
Plea:	Plead Guilty	OTN: G3228326	Judge: O'TOOLE, LAWRENCE J.						
Offense:	CC0901 - CRIMINAL ATTEMPT CC2502A - MURDER (1ST DEGREE)								

Reception Date	01/11/2017		Reentered from DOC #	
Controlling Minimum Date	09/28/2013		New Maximum - PV	12/19/2023
Controlling Maximum Date	09/28/2020		True Minimum Expiry Date	
RRRI Minimum Expiry Date				

Appendix B

Summary or Remarks on Sentence

Remarks	VERSION 2 CREATED TO RECOMMIT AS A CPV PER PBPP39 DATED 2/1/17. CONVICTIONS FOR RECOMMITMENT: CP16878-2014 CT1: LIFE; CT2: NFP; CT5: 10-20 YEARS.
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3. SENTENCE STRUCTURE**Commitment Credit**

Computation 2	CP14921 CT1/2006 : 09/28/2006 to 10/23/2007
Computation 2	CP14921 CT3/2006 : 09/28/2006 to 10/23/2007
Computation 2	CP14921 CT5/2006 : 09/28/2006 to 10/23/2007
Computation 2	CP14921 CT7/2006 : 09/28/2006 to 10/23/2007
Computation 2	CP14921 CT9/2006 : 09/28/2006 to 10/23/2007

Remarks	
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Bail/Escapes/Interruption Time Data

None

3. SENTENCE STRUCTURE (Cont'd)

Item	Computation 2			
Indictments Included	CP14921 CT1/2006 CP14921 CT3/2006 CP14921 CT5/2006 CP14921 CT7/2006 CP14921 CT9/2006			
Eff Date	09/28/2006			
Expiration of Minimum	09/28/2013			
Expiration of Maximum	09/28/2020			
Custody for Return - PV	12/19/2016			
Delinquent Time				
Backtime Credit				
Backtime Owed	6Y11M30D			
New Maximum - PV	12/19/2023			
Sentence Computation Date	02/22/2017			
Basis for Computation	TPV			
Total Sentence	7Y - 14Y			
Status	Active			

4. NON-INCARCERATED OFFENSES

Sent Date	County/State/Federal	Indictments
10/23/2007	Allegheny	CP14921 CT1/2006
Description:	CT2 - Aggravated Assault - No further penalty - Guilty plea. CT4 - Aggravated Assault - No further penalty - Guilty plea. CT6 - Aggravated Assault - No further penalty - Guilty plea. CT8 - Aggravated Assault - No further penalty - Guilty plea. CT10 - Aggravated Assault - No further penalty - Guilty plea. CT11 - Criminal Conspiracy Engaging Aggravated Assault - No further penalty - Guilty plea. CT12 - Firearms Not to Be Carried W/O License - No further penalty - Guilty plea.	
Comments		

5. DETAINERS

Detainer#	Date	Agency	Agency Identification	OTN	Type
1	12/19/2016	ALLEGHENY CO.	CP16878;2014	G6946144	Dept Of Corrections
Charges	MURDER 2ND DEGREE CT 1-LIFE(RE-ENTRY DETAINER SENTENCE)				
2	12/19/2016	ALLEGHENY CO.	CP16878;2014	G6946144	Dept Of Corrections
Charges	CPONSP/ROBB CT 5(CS TO CT 1, RE-ENTRY DETAINER SENTENCE) - 10 Y To 20 Y				

Deleted Detainers (For those deleted since last DC16)

Detainer#	Date Deleted	Agency	Agency Identification	OTN	Type
None					
Remarks	None				

6. PRIOR DOC NUMBERS

None									
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7. ACTIONS: BOARD OF PARDONS

Decision Date	File Number	Action	Comments
None			

Last Modified By: Brungart, Dale R

Signed Off By: Brungart, Dale R

Institution: Rockview



COMMONWEALTH OF PENNSYLVANIA
DC16E - SENTENCE STATUS SUMMARY DEPARTMENT OF CORRECTIONS

Name: Derek Lee

Inmate #: QP5376

Closed Version 1 Dated 3/24/2023 1:23:30 PM

1. REFERENCES AND IDENTIFICATION

DOC # QP5376	Commitment Name DEREK LEE	PBPP # 348FA	SID # 33765151	FBI #	Phila Photo #
DOB [REDACTED]	Place of Birth PITTSBURGH PA USA			Race B	Sex M

2. SENTENCE SUMMARY

Sent Date	County/State/Federal	Indictments	Sent Type	Minimum			Maximum			
				Y	M	D	Y	M	D	
12/19/2016	Allegheny	CP0016878 CT1/2014		Life			Life			
Plea:	Found Guilty	OTN: G6946144	Judge: CASHMAN, DAVID R.							
Offense:	CC2502B - MURDER (2ND DEGREE)									

Reception Date	01/11/2017		Reentered from DOC #	HG9088
Controlling Minimum Date	LIFE		New Maximum - PV	
Controlling Maximum Date	LIFE		True Minimum Expiry Date	
RRRI Minimum Expiry Date				

Summary or Remarks on Sentence

Remarks	Effective date is 03/24/2023 for QP5376 due to being paroled from HG9088 on 03/23/2023.
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3. SENTENCE STRUCTURE

Commitment Credit
Computation 1 CP0016878 CT1/2014 : 11/01/2014 to 12/19/2016

Remarks	Credit applied at CP16878-2014 is from 11/01/2014 to 12/19/2016 (Credit ordered).
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Bail/Escapes/Interruption Time Data

None

3. SENTENCE STRUCTURE (Cont'd)

Item	Computation 1			
Indictments Included	CP0016878 CT1/2014			
Eff Date	02/02/2021			
Expiration of Minimum	Life			
Expiration of Maximum	Life			
Custody for Return - PV				
Delinquent Time				
Backtime Credit				
Backtime Owed				
New Maximum - PV				
Sentence Computation Date	03/24/2023			
Basis for Computation	Initial			
Total Sentence	Life			
Status	Active			

4. NON-INCARCERATED OFFENSES

Sent Date	County/State/Federal	Indictments
12/19/2016	Allegheny	CP0016878 CT1/2014
Description:	Ct 2-Robbery-Inflct Serious Bodily Injury-NFP	
Comments		

5. DETAINERS

Detainer#	Date	Agency	Agency Identification	OTN	Type
2	12/19/2016	ALLEGHENY CO.	CP16878;2014	G6946144	Dept Of Corrections
Charges	CPONSP/ROBB CT 5(CS TO CT 1. - 10 Y To 20 Y				

Deleted Detainers (For those deleted since last DC16)

Detainer#	Date Deleted	Agency	Agency Identification	OTN	Type
1	3/24/2023	ALLEGHENY CO.	CP16878;2014	G6946144	Dept Of Corrections
Remarks	BEING RE-ENTERED ON A NEW #				

6. PRIOR DOC NUMBERS

HG9088									
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7. ACTIONS: BOARD OF PARDONS

Decision Date	File Number	Action	Comments
None			

Last Modified By: Childs, Natasha M

Signed Off By: Childs, Natasha M

Institution: Central Office