


Commonwealth of Pennsylvania



THE THIRD DAUPHIN COUNTY INVESTIGATING GRAND JURY

IN RE:

THE THIRD DAUPHIN COUNTY
INVESTIGATING GRAND JURY

: IN THE COURT OF COMMON PLEAS OF
: DAUPHIN COUNTY, PENNSYLVANIA
:
: NO. 487 M.D. 2004
:
: NOTICE NUMBER: 03-2004-26

TO THE HONORABLE LAWRENCE F. CLARK, JR., SUPERVISING JUDGE:

PRESENTMENT NO. 6

We, the Third Dauphin County Investigating Grand Jury, duly charged to inquire into offenses against the criminal laws of the Commonwealth, have obtained knowledge of such matters from witnesses sworn by the Court and testifying before us. We find reasonable grounds to believe that a violation of the criminal laws has occurred. So finding with not fewer than twelve concurring, we do hereby make this presentment to the Court.

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DAUPHIN COUNTY
PENNA

Robert D. Saylor
Foreperson - Third Dauphin
County Investigating Grand Jury

Certified: A True Copy

DATED: 2-21-06, 2006

FEB 21 2006

Amel W. [Signature]
(Clerk of the Court)

INTRODUCTION

We, the members of the Third Dauphin County Investigating Grand Jury, having received evidence pertaining to a possible violation of the Pennsylvania Crimes Code, pursuant to Notice of Submission of Investigation 03-2004-26, do hereby make the following findings of fact and recommendation of charge.

FINDINGS OF FACT

Attorney Edward J. Mimmagh has periodically represented Terry W. Grimwood. In the Spring of 2005, Mimmagh had telephone contact with Grimwood. Mimmagh sought to purchase \$200 worth of cocaine from Grimwood and Grimwood agreed. Approximately two days after this telephone conversation, in the evening hours, Grimwood drove by car to Mimmagh's home, 300 North Hanover Street, Hershey, Dauphin County. Todd Allen Walter was a passenger in the car. While Grimwood waited in the car, Walter exited the car and gave a quantity of cocaine to Mimmagh who in turn gave him the money.

Mimmagh was familiar with the effects of cocaine from personal use in the distant past. Mimmagh ingested the suspected cocaine received from Grimwood and Walter and recognized it as cocaine. In February, 2006, Mimmagh agreed to cooperate in the investigation of the drug activities of Grimwood and Walter.

Pursuant to an Order of the Superior Court of Pennsylvania, the Pennsylvania State Police installed a listening device in the home of Terry W.

Grimwood, Jr. On January 17, 2006, the Pennsylvania State Police monitored and recorded a conversation within the home relating to Attorney Edward J. Mimmagh. In the recorded conversation, Terry W. Grimwood, Jr., described how he brought two "eight balls" of cocaine to Mimmagh's house.

RECOMMENDATION OF CHARGES

Based upon the evidence we have obtained and considered, which establishes a prima facie case, we, the members of the Third Dauphin County Investigating Grand Jury, recommend that the District Attorney or his designee, institute criminal proceedings against Terry W. Grimwood, Jr., and Todd Allen Walter and charge each of them with violating Section 780-113(a)(30) (relating to unlawful delivery of a controlled substance) of the Controlled Substance, Drug, Device and Cosmetic Act, and Section 903 (relating to criminal conspiracy to commit a delivery of a controlled substance) of the Crimes Code.