

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :
 :
 vs. : NO. 02-11,075
 :
 BRYAN E. GIMBARA, :
 :
 Defendant : 1925(a) OPINION

Date: January 14, 2003

OPINION IN SUPPORT OF THE ORDER OF NOVEMBER 19, 2002 IN COMPLIANCE WITH RULE 1925(a) OF THE RULES OF APPELLATE PROCEDURE

Defendant, Bryan E. Gimbara, has appealed this Court's Order of November 19, 2002, which found the Defendant guilty of the charge Driving Under Suspension DUI-Related, a violation of Section 1543(b) of the Motor Vehicle Code. On December 10, 2002 this Court issued an order in compliance with Pa. R.A.P. 1925(b) directing the Defendant to file a Statement of Matters Complained of on Appeal within fourteen days of the order. To date, the Defendant has failed to comply with that order.

The Court is unaware of any basis for the appeal. Therefore, the Court cannot issue an opinion in support of its Order pursuant to Pa. R.A.P. 1925(a). Further, the Court recommends that the Superior Court dismiss the appeal. Any issues not raised in the Statement of Matters are deemed waived. *Commonwealth v. Lord*, 719 A.2d 306, 309 (Pa. 1998); *Commonwealth v. Auchmuty*, 799 A.2d 823, 825 (Pa. Super. 2002); *Cheltenham Twp. Sch. Dist. v. Slawow*, 755 A.2d 45, 48 (Pa. Cmwlth. 2000). The failure of the Defendant to file the

Statement of Matters waives his objections to the Court's Order of November 19, 2002. This failure leaves the Superior Court with no issues before it and makes dismissal appropriate.

BY THE COURT,

William S. Kieser, Judge

cc: James D. Cleland, Esquire
District Attorney
Judges
Christian Kalas, Esquire
Gary L. Weber, Esquire (Lycoming Reporter)