

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : NO. 02-10,268
: 02-10,099
: 01-12,144
: 01-12,074
vs. :
: Criminal Division
LEAH BESS, :
Defendant :

OPINION IN SUPPORT OF ORDER OF MARCH 26, 2004
IN COMPLIANCE WITH RULE 1925(A) OF
THE RULES OF APPELLATE PROCEDURE

Defendant appeals from this Court's Order of March 26, 2004, which dismissed her Post-Conviction Relief Act petition. By Order dated March 5, 2004, the Court indicated its intention to dismiss the petition as a review of the record established Defendant was not entitled to relief.

By Order dated May 10, 2004, this Court directed Defendant to file a concise statement of the matters complained of on appeal within fourteen (14) days. Defendant has failed to file such a statement as of this date, June 7, 2004. As Defendant has not complied with the Order of May 10, 2004, pursuant to Commonwealth v. Lord, 719 A.2d 306 (Pa. 1998), it appears that any issues Defendant raises to Superior Court will be deemed waived. In any event, the Court chooses not to bind the Superior Court to address an issue which Defendant may or may not wish to raise. See Commonwealth v. Perez, 664 A.2d 582 (Pa. Super. 1995). The Court will therefore address nothing further in this Opinion.

Dated: June 7, 2004

By The Court,

cc: DA

Leah Bess, OH3356
451 Fullerton Ave
Cambridge Springs, PA 16403-1238
Gary L. Weber, Esq.
Hon. Dudley N. Anderson

Dudley N. Anderson, Judge