

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH : No. CR-1901-2002  
 : (02-11901)  
 vs. :  
 : Post Conviction Relief Act (PCRA)  
 STEVEN A. SMITH, : Petition  
 Defendant :

**ORDER**

AND NOW, this \_\_\_\_ day of October 2005, upon consideration of Defendant's pro se Post Conviction Relief Act (PCRA) petition and after argument at which Defendant participated by telephone conference call, the Court REINSTATES Defendant's appeal rights nunc pro tunc. Defendant shall file a Notice of Appeal within thirty (30) days of the date of this Order with the Clerk of Courts at the county courthouse, with notice to the trial judge, the court reporter and the prosecutor. The Notice of Appeal shall be in the form and contents as set forth in Rule 904 of the Rules of Appellant Procedure. If the Notice of Appeal is not filed in the Clerk of Courts' office within the thirty (30) day time period, Defendant may lose forever his right to raise these issues.

In all other respects, the Court DENIES Defendant's PCRA petition.

A copy of this order shall be mailed to Defendant by certified mail, return receipt requested.

By The Court,

\_\_\_\_\_  
Kenneth D. Brown, P.J.

cc: Steven A. Smith, #FE5013

10745 Rte 18, Albion PA 16475-0002  
Kenneth Osokow, Esq. (ADA)  
Work File  
William Burd, Prothonotary