

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :
 :
 v. : NO. 00-10,958
 :
 RANDY J. WILSON :

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

The Defendant appeals this Court's Sentencing Order dated April 26, 2005. Pursuant to that Order, the Defendant was sentenced to undergo incarceration in a state correctional institution for a minimum of forty-eight (48) months and a maximum of ten (10) years for the charge of Aggravated Indecent Assault, and a minimum of seventy (70) months and a maximum of twenty (20) years for the charge of Aggravated Assault to run entirely consecutive.

The Defendant filed a notice of appeal to the current Sentencing Order on September 27, 2005. On October 4, 2005, this Court requested that the Defendant file a Statement of Matters Complained of on Appeal in accordance with Pa.R.A.P. 1925(b); on October 14, 2005, the Defendant filed said Statement.

In the Statement of Matters Complained of on Appeal, Defendant asserts three issues for review. First, the Defendant asserts that this Court erred in denying his Pre-sentence Motion to withdraw his guilty plea. Next, the Defendant asserts that this Court erred in denying his Post-sentence Motion to withdraw his guilty plea. Lastly, the Defendant asserts that this Court erred in denying his Motion to Modify Sentence. Relying on this Court's Opinion and Order filed September 15, 2005 that held the Defendant's plea was given knowingly, intelligently and voluntarily, this Court rejects the Defendant's first two assertions. Relying on this Court's

Opinion and Order filed August 29, 2005 that held the Court's sentencing of the Defendant was appropriate and well justified, this Court rejects the Defendant's last assertion

Dated: _____

By The Court,

Nancy L. Butts, Judge

cc: DA
Peter T. Campana, Esquire
Honorable Nancy L. Butts
Law Clerk