

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : NO. 00-11,502
:
vs. : CRIMINAL DIVISION
:
GERALD BARTLETT, :
Defendant :

OPINION IN SUPPORT OF ORDER OF APRIL 14, 2005
IN COMPLIANCE WITH RULE 1925(A) OF
THE RULES OF APPELLATE PROCEDURE

Defendant appeals this Court’s Order of April 14, 2005, which dismissed his Petition for Post-Conviction Collateral Relief, the Court having considered counsel’s “no merit” letter and also having conducted an independent review of the record, but having found no genuine issue which would entitle Defendant to relief. By Order dated May 27, 2005, 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, July 5, 2005. As Defendant has not complied with the Order of May 27, 2005, 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.

Respectfully Submitted,

Dated: July 5, 2005

Dudley N. Anderson, Judge

cc: District Attorney
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Gary L. Weber, Esq.
Hon. Dudley N. Anderson