

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :
 :
 vs. : NO. 617-06
 :
 JAMES E. BORTZ, :
 :
 :
 Defendant : 1925(a) OPINION

Date: September 1, 2006

**OPINION IN SUPPORT OF THE ORDER OF JULY 5, 2006 IN COMPLIANCE
WITH RULE 1925(a) OF THE RULES OF APPELLATE PROCEDURE**

On May 8, 2006, Defendant James E. Bortz pleaded guilty to Count 1 Statutory Sexual Assault, 18 Pa.C.S.A §3122.1, and Count 4 Corruption of Minors, 18 Pa.C.S.A. §6301(a)(1). On July 5, 2006, this court sentenced Defendant. As to Count 1, Defendant was sentenced to confinement at a state correctional institution for a minimum of eight months and a maximum of ten years. As to Count 4, Defendant was sentenced to twenty-four months of probation under the supervision of the Pennsylvania Board of Probation and Parole. These sentences were to be served consecutive to each other and concurrently with a sentence Defendant was serving under another Lycoming County case.

On July 28, 2006, this court issued an order in compliance with Pennsylvania Rules of Appellate Procedure Rule 1925(b) directing Defendant to file a concise statement of matters complained of on appeal. As of the date of this opinion, Defendant has failed to file such a concise statement. This failure prevents the court from preparing a meaningful opinion in compliance with Pennsylvania Rules of Appellate Procedure Rule 1925(a) since the court is unaware of the issues Defendant intends to raise on appeal. Furthermore, Defendant's failure to file a concise statement of matters likely waives a number of issues he intended to raise on

appeal. See, *Commonwealth v. Castillo*, 888 A.2d 775 (Pa. 2005); *Commonwealth v. Schofield*, 888 A.2d 771 (Pa. 2005); *Commonwealth v. Lord*, 719 A.2d 306 (Pa. 1998).

Accordingly, Defendant's appeal should be denied and the order of July 5, 2006 affirmed.

BY THE COURT,

William S. Kieser, Judge

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