

COMMONWEALTH OF  
PENNSYLVANIA,

vs.

JEFFREY HOWLETT,

Defendant

: IN THE COURT OF COMMON PLEAS OF  
: LYCOMING COUNTY, PENNSYLVANIA

:

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: NO. 90-11, 504

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: CRIMINAL LAW

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**Date: September 4, 2008**

**ORDER**

This order is entered in response to a Petition for Reconsideration Pursuant to: Pa.R.A.P. 1701(b)(3) filed August 27, 2008, by Defendant Jeffrey Howlett. The Petition is DISMISSED as this court lacks jurisdiction. Identical issues have been raised and dismissed by this court as untimely or without merit in prior orders.

Since the claims raised by Defendant in the letter and Petition have been raised in previous filings and have been found untimely, this court no longer has jurisdiction to hear further requests for relief from Defendant. *See*, 42 Pa.C.S.A. § 9545(b)(1); *Commonwealth v. Hutchinson*, 760 A.2d 50, 53 (Pa. Super. 2000). The PCRA is the sole means of obtaining post conviction collateral relief. 42 Pa.C.S.A. § 9542; *Commonwealth v. Bennett*, 842 A.2d 953, 957 (Pa. Super. 2004); *Commonwealth v. Johnson*, 803 A.2d 1291, 1293 (Pa. Super. 2002). The PCRA encompasses all common law and statutory remedies for obtaining post conviction collateral relief, including habeas corpus and coram nobis. 42 Pa.C.S.A. § 9542. The PCRA subsumed the writ of habeas corpus, and habeas corpus provides relief only in cases where no remedy under the PCRA exists. *Commonwealth v. Morris*, 822 A.2d 684, 692-93 (Pa. 2003).

The PCRA governs petitions seeking post conviction collateral relief no matter how the petition is titled. *Commonwealth v. Kutnyak*, 781 A.2d 1259, 1261 (Pa. Super. 2001).

Therefore, Defendants Petition/Request is denied. For further explanation, see the Order of this court dated August 11, 2008.

BY THE COURT,

Clinton W. Smith, Senior Judge

cc: District Attorney  
Jeffrey Howlett -- #BU4830  
SCI at Huntingdon, 1100 Pike Street, Huntingdon, PA 16654-1112  
Judges  
Senior Judge Smith  
Gary L. Weber, Esquire (Lycoming Reporter)