

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :
 :
 vs. : NO. 91-10, 935
 :
 JERARD BRADLEY, :
 :
 Defendant : 1925(a) OPINION

Date: February 18, 2009

**OPINION IN SUPPORT OF THE ORDER OF JUNE 16, 2005 IN COMPLIANCE
WITH RULE 1925(a) OF THE RULES OF APPELLATE PROCEDURE**

On October 11, 2008 Defendant Jerard Bradley filed a Petition for Post Conviction Collateral Relief. On January 9, 2009 this Court issued an order proposing dismissal of Defendant's Post Conviction Relief Act (PCRA) Petition. Defendant has appealed this court's order proposing that dismissal. The notice of appeal was filed on January 27, 2009. On January 27, 2009, this court filed an order in compliance with Pa.R.A.P. 1925(b) directing Defendant to file a concise statement of matters complained of on appeal within fourteen days of the order. To date, Defendant has failed to comply with this order.

Because of this failure, Defendant's appeal should be dismissed. In order to preserve issues for appeal, an appellant must comply with a court order directing him to file a concise statement of matters. *Commonwealth v. Halley*, 870 A.2d 795, 797 (Pa. 2005). Any issue not raised in the statement of matters is deemed waived on appeal. *Ibid*; *Commonwealth v. Lord*, 719 A.2d 306, 309 (Pa. 1998); *Commonwealth v. Auchmuty*, 799 A.2d 823, 825 (Pa. Super.

2002). For this appeal, Defendant's failure to file the statement of matters waives his objections to the conviction.

Accordingly, Defendant's appeal should be dismissed and his conviction affirmed.

BY THE COURT,

Clinton W. Smith, Judge

cc: District Attorney's Office
Public Defender's Office
Judges
Jerard Bradley #BQ6128
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Gary L. Weber, Esquire (Lycoming Reporter)