

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,	:	
	:	
v.	:	No. 1924-2007
	:	CRIMINAL DIVISION
BREAION M. GRISSOM,	:	
Defendant	:	PCRA

ORDER

AND NOW, this 6th day of December, 2010, after a conference with Counsel, and upon review of the Defendant's PCRA Petition, the Court finds no basis upon which to grant the Defendant's PCRA petition. In his PCRA Petition, the Defendant argues that his counsel was ineffective for failing to adequately investigate and otherwise provide proper advice to the Defendant regarding his sentencing exposure pursuant to the plea agreement prior to the entry of his plea agreement, and for failing to advise the Defendant to withdraw his motion to withdraw his guilty plea and for failing to file a direct appeal. At the time of sentencing before the Honorable Kenneth D. Brown, the Defendant was present when Judge Brown stated that the Defendant's prior record score was a five (5) and his offensive gravity score was a ten (10). As the Defendant was aware of this information before he was sentenced, the Court finds there was no ineffective assistance of counsel.

As the Court finds that no purpose would be served by conducting any further hearing, none will be scheduled. Pursuant to Pennsylvania Rule of Criminal Procedure 907(1), the parties are hereby notified of the Court's intention to deny the Petition. The Defendant may respond to this proposed dismissal within twenty (20) days. If no response is received within that time period, the Court will enter an Order dismissing the Petition and granting Joel M. McDermott leave to withdraw

ORDER

AND NOW, this 6th day of December, 2010, the Defendant and his attorney are notified that it is the intention of the Court to dismiss the Defendant's PCRA petition unless he files an objection to that dismissal within twenty days (20) of today's date.

By the Court,

Nancy L. Butts, President Judge

xc: Ken Osokow, Esq.
Edward J. Rymysz, Esq.
Breiaon Grisson GJ1923
SCI Fayette
50 Overlook Drive
LaBelle PA, 15450-1050