

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA,	:	
	:	CR: 630-2008; 1863-2008;
	:	1882-2008; 2096-2008;
	:	430-2009; 829-2009
v.	:	
	:	CRIMINAL DIVISION
	:	PCRA
COLIN BEST,	:	
Defendant	:	

ORDER

AND NOW, this ____ day of March, 2011, having received a response¹ from the Defendant to this Court's proposed dismissal of his Post Conviction Relief Act (PCRA) Petition which does not set forth any grounds to delay the disposal of this matter, the Defendant's PCRA petition is hereby **DISMISSED**.

Defendant is hereby notified that he has the right to appeal from this order to the Pennsylvania Superior Court. The appeal is initiated by the filing of a Notice of Appeal with the Clerk of Courts at the county courthouse, with notice to the trial judge, the court reporter and the prosecutor. The Notice of Appeal shall be in the form and contents as set forth in Rule 904 of the Rules of Appellate Procedure. The Notice of Appeal shall be filed within thirty (30) days after the entry of the order from which the appeal is taken. Pa.R.A.P. 903. If the Notice of

¹ The Defendant's response points out that the sentence on his 2009 cases ran consecutive to one another, which is inconsistent with his plea agreement on those cases. However, the sentence on his 2009 cases ran concurrent to the sentence on his 2008 cases, which is consistent with the plea agreement. Since the aggregate sentence on the Defendant's 2008 cases was forty-three (43) to eighty-six (86) months, the Defendant was not prejudiced by the consecutive sentence on the 2009 cases, which was an aggregate of twenty-four (24) to forty-eight (48) months.

Appeal is not filed in the Clerk of Courts' office within the thirty (30) day time period, the Defendant may lose forever his right to raise these issues.

A copy of this order shall be mailed to the Defendant by certified mail, return receipt requested.

By the Court,

Nancy L. Butts, President Judge

xc: DA
Colin Best #JC3464
SCI Forest
286 Woodland Drive
P.O. Box 307
Marienville, PA 16239-0307