

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

**COMMONWEALTH OF PENNSYLVANIA** :  
 :  
 v. : **No. 1705-2006**  
 : **CRIMINAL DIVISION**  
**BRANDON DEAS,** : **APPEAL**  
 **Defendant** :

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

The Defendant appeals the Order of the Court dated February 7, 2011, which decisively dismissed the Defendant's Post Conviction Relief Act (PCRA) Petition. The Defendant filed a Notice of Appeal on March 8, 2011, and on March 18, 2011, the Court directed the Defendant, in accordance with Pa.R.A.P. No. 1925(b), to file within thirty days a concise statement of matters complained of on appeal. The Court received the Defendant's concise statement on April 19, 2011.

The Defendant raises one issue on appeal; 1) the Court erred in finding that the Defendant gave consent to Trooper Havens to search his sister's residence by failing to consider the totality of the circumstances. The Defendant refers to four (4) areas of concern he feels negated the Defendant's voluntary consent to the search of the apartment. The Court reviewed the record in consideration of the Defendant's PCRA Petition and does not feel that the areas of concern as raised by the Defendant have any merit.

For the purposes of this Opinion, this Court will rely on the Order of the Court dated December 23, 2010.

DATE: \_\_\_\_\_

By the Court,

Nancy L. Butts, President Judge

xc: DA  
Joel M. McDermott, Esq.  
Gary L. Weber (LLA)

