

IN THE COURT OF COMMON PLEAS OF
LYCOMING COUNTY, PA

COMMONWELATH OF PA :
 : NO: CR-790-2007
 :
 vs. :
 :
 :
 JIMMIE R. FIELDS :

ORDER
Issued Pursuant to Pa.R.A.P. 1925(a)

On May 1, 2007, Jimmie Fields was charged with three (3) counts of Involuntary Deviate Sexual Intercourse, each a felony of the first degree, two (2) counts of Aggravated Indecent Assault, each a felony of the second degree, two (2) counts of Indecent Assault, each a misdemeanor of the first degree, and one (1) count of Endangering the Welfare of a Child, a felony of the third degree.

A non-jury trial was held on November 30, 2007, and Defendant was found guilty of each of the charges listed above. Post-sentence Motions were filed on July 7, 2008 and denied on September 4, 2008. No direct appeal was filed with the Superior Court.

On April 13, 2009, Defendant filed a pro se Petition for Post Conviction Relief. On January 31, 2011, Defendant filed a Second Amended Post Conviction Relief Act Petition. Defendant's Second Amended Petition sought a new trial based upon trial counsel's ineffectiveness. On May 20, 2011, an evidentiary hearing was held to permit Defendant to present testimony regarding the issues presented in his Second Amended P.C.R.A. Petition. By Order dated July 12, 2011, Defendant's

request for a new trial was denied and Defendant's Second Amended P.C.R.A. Petition was dismissed.

On July 18, 2011, Defendant filed his Notice of Appeal. In his Concise Statement of Matters Complained of on Appeal, Defendant raises the same issues addressed by this Court in its Order dated July 12, 2011.

For purposes of this appeal, this Court relies upon its Opinion and Order dated July 12, 2011 and this Court respectfully requests affirmance of its Order.

BY THE COURT,

Richard A. Gray, J.

cc: DA (KO)
Donald Martino, Esquire
Gary Weber, Esquire