

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	
	:	
v.	:	No. 1019-2004
	:	CRIMINAL DIVISION
DARRELL HARROLD,	:	APPEAL
Defendant	:	

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

The Defendant appeals the Opinion and Order of the Court dated July 8, 2011, and Order of August 10, 2011, which dismissed the Defendant's Post Conviction Relief Act (PCRA) Petition. The Defendant filed a Notice of Appeal on August 17, 2011, and on August 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 August 24, 2011.

The Defendant avers that this Court wrongly denied his PCRA Petition and raises the following issue on appeal: 1) Trial Counsel was ineffective in failing to discuss the importance of character witnesses with Defendant prior to trial, in failing to explain to Defendant that he had a right to call character witnesses on his behalf and in failing to call character witnesses who were available and who were willing to testify favorably on behalf of Defendant, and the evidence presented at the hearings held on the Defendant's PCRA Petition established he merits a new trial.

Pursuant to a remand by the Superior Court, this Court conducted an evidentiary hearing and examined the Defendant's claim that trial counsel was ineffective for failing to inform him about the importance of character witnesses. After careful review, this Court found the

Defendant's claim to be without merit and found that the Court's April 22, 2009 dismissal of the Defendant's PCRA Petition was not in error.

For the purposes of this Opinion, this Court will rely on its Opinion and Order of July 8, 2011 and Order of August 10, 2011.

DATE: _____

By the Court,

Nancy L. Butts, President Judge

xc: DA
Donald F. Martino, Esq.
Gary L. Weber (LLA)