

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

<b>COMMONWEALTH OF PENNSYLVANIA</b>	:	
	:	
<b>v.</b>	:	<b>No. 516-2009</b>
	:	<b>CRIMINAL DIVISION</b>
<b>RENARD SCOTT,</b>	:	<b>APPEAL</b>
<b>Defendant</b>	:	

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

The Defendant appeals this Court’s Opinion and Order dated September 7, 2011 and Order dated October 20, 2011, which dismissed the Defendant’s Post Conviction Relief Act (PCRA) Petition. The Defendant raises several issues on appeal relating to this Court’s determination that trial counsel was not ineffective for: 1) failing to object to the deficiencies in the plea allocution where there was no factual basis established to support the charge of Person not to Possess a Firearm; 2) failing to challenge the 5 year mandatory for the gun enhancement where there was insufficient evidence to support that enhancement where there was no nexus between the controlled substance and the firearm and where the firearm was not found in close proximity to the controlled substance; 3) failing to advise the Defendant to enter a guilty plea without obtaining any discovery in the case and otherwise inadequately investigating the possible defenses<sup>1</sup>; 4) failing to file a motion to suppress physical evidence; and 5) failing to object to the improper calculation of the sentencing guidelines.

---

<sup>1</sup> The Court believes that the Defendant intended to appeal this Court’s determination that trial counsel was not ineffective **for advising** the Defendant to enter a guilty plea without obtaining any discovery in this case and otherwise inadequately investigating the possible defenses.

For purposes of this Opinion, the Court will rely on its Opinion and Order dated September 7, 2011 and Order dated October 20, 2011, which dismissed the Defendant's Post Conviction Relief Act (PCRA) Petition.

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

By the Court,

Nancy L. Butts, President Judge

xc: DA  
Edward J. Rymysz, Esq.  
Amanda Browning, Esq. (Law Clerk)  
Gary L. Weber, Esq. (LLA)