

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

<b>COMMONWEALTH OF PENNSYLVANIA,</b>	:	
	:	
<b>v.</b>	:	<b>No. 902-2011</b>
	:	
<b>JAMES LEMAR,</b>	:	<b>CRIMINAL DIVISION</b>
<b>Defendant</b>	:	<b>APPEAL</b>

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

On May 15, 2012, James Lemar (Defendant) was found guilty of Retail Theft following a non-jury trial. The Defendant was sentenced to twenty-four (24) months of probation consecutive to any current probation he may be serving. On May 15, 2012, the Defendant filed a timely Post Sentence Motion, which was denied on July 5, 2012. This Court received a Notice of Appeal and requested a concise statement of the matters complained of on appeal in accordance with Pa.R.A.P. 1925(b). On July 26, 2012, Defense Counsel filed a concise statement indicating the intent to file an Anders/McClendon brief. Anders v. California, 368 U.S. 738 (1967); Commonwealth v. McClendon, 434 A.2d 1185 (Pa. 1981).

For purposes of this Opinion, the Court will rely on Judge Butts' Opinion dated July 5, 2012, which determined that the guilty verdict was not against the weight of the evidence.

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

By the Court,

Nancy L. Butts, President Judge

xc: DA  
PD (KB)