

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	
	:	No: 548-2006; 902-2007
v.	:	
	:	CRIMINAL DIVISION
JASON E. MONTGOMERY,	:	APPEAL
Defendant	:	

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

The Defendant appeals the Sentencing Order of this Court dated April 28, 2011. The Defendant filed a Notice of Appeal on February 13, 2012 and on February 27, 2012, this Court directed the Defendant, in accordance with Pa.R.A.P. No. 1925(b), to file within thirty (30) days a concise statement of matters complained of on appeal. The Court received the Defendant's concise statement on March 21, 2012.

The Defendant raises two issues on appeal: 1) that his sentence of April 28, 2011 be reconstructed to reflect its intended sentence as the Pennsylvania Board of Probation and Parole (PBPP) will not honor the Sentencing Order; and 2) that the court erred in failing to address/remedy Defendant's specific claims in his Motion for Reconsideration.

For purposes of this Opinion, the Court will rely on Judge Butt's Order dated February 1, 2012, which states that matters related to state parole are left to the discretion of the PBPP.

DATE: _____

By the Court,

Nancy L. Butts, President Judge

xc: DA
Jason E. Montgomery
#HN 4255
1100 Pike Street
Huntingdon, PA 16654-1112