

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

<b>COMMONWEALTH OF PENNSYLVANIA,</b>	:	
	:	<b>No. 630-2008; 1863-2008;</b>
<b>v.</b>	:	<b>1882-2008; 2096-2008;</b>
	:	<b>430-2009; 829-2009</b>
	:	
	:	<b>CRIMINAL DIVISION</b>
<b>COLIN BEST,</b>	:	
<b>Defendant</b>	:	<b>PCRA</b>

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

Colin Best (Defendant) appeals this Court's denial of his second PCRA Petition, which was filed on January 23, 2013. The Defendant filed this Petition following the Superior Court of Pennsylvania denying his first PCRA on November 8, 2012. On March 8, 2013, the Court proposed the dismissal of the Defendant's second Petition. The Court had found that the Defendant's PCRA Petition was untimely and also that the issues had been waived as he could have raised them in his first PCRA Petition. On April 2, 2013, the Court dismissed the PCRA Petition and further explained that ignorance of law or rights is not an exception to the timeliness requirement under the PCRA.

The Defendant filed a Notice of Appeal to the Superior Court of Pennsylvania on May 6, 2013. See Pa.R.Crim.P. 907. On May 9, 2013, this Court ordered the Defendant to file a concise statement of the matters complained of on appeal. The Defendant alleged two issues (2) in his concise statement: 1) whether the guilty plea of the Defendant was unlawfully induced when the trial court, prosecutor, and trial counsel failed to order a competency hearing prior to his acceptance of the plea agreement and 2) whether the failure of trial counsel to prepare a defense

or challenge the sufficiency of the evidence prior to the acceptance of the plea agreement amounted to a constructive denial of counsel.

For purposes of this Opinion, the Court will rely on its Opinions and Orders filed March 8, 2013 and April 2, 2013, which found that the Defendant's second PCRA Petition was untimely and that the issues had been waived.

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

By the Court,

Nancy L. Butts, President Judge

xc: DA  
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