

the Superior Court of Pennsylvania. After assessing the Defendant's objections, this Court dismissed the PCRA Petition on January 8, 2013.

On January 8, 2013, this Court ordered the Defendant to file a concise statement of the matters complained of on appeal. On January 24, 2013, the Defendant filed another Notice of Appeal to the Superior Court of Pennsylvania. On January 28, 2013, the Court requested another concise statement, as the Defendant had filed two Notices of Appeal. On February 4, 2013, the Court received the Defendant's concise statement, which alleges three issues: 1) whether Attorney Martino's Motion to Withdraw as Counsel should have been granted; 2) whether the Defendant's Motion to Dismiss Attorney Martino's Motion to withdraw should have been granted; and 3) whether the Court should have been intending to dismiss the Defendant's PCRA Petition.

Based on the concise statement submitted to this Court, the Defendant's issue of whether the Court should have proposed the dismissal of his PCRA is not a final order and should be waived. Further, for purposes of this Opinion, the Court will rely on this Court's Opinion dated December 5, 2012, which determined that the Defendant's PCRA Petition was untimely.

DATE: _____

By the Court,

Nancy L. Butts, President Judge

xc: DA
Frederico Dacenzo, Jr. #JK-1349
SCI Retreat
660 State Route 11
Hunlock Cree, PA 18621