

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	
	:	No: 1012-2008
v.	:	
	:	CRIMINAL DIVISION
GREGORY RICKS,	:	APPEAL
Defendant	:	

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

Gregory Ricks (Defendant) appeals this Court's denial of his current PCRA Petition, which was filed on November 14, 2012. This Court proposed dismissed of the PCRA Petition on December 18, 2012, as it was untimely and the issues had been waived. On January 9, 2013, the Defendant filed a Response Letter to Opinion Dated December 18, 2012, in which he calculated that his PCRA Petition was timely. This Court disagreed with the Defendant's calculation and on January 18, 2013, this Court dismissed the Defendant's PCRA Petition. The Defendant filed a timely Notice of Appeal to the Superior Court of Pennsylvania on February 6, 2013. See Pa.R.Crim.P. 907. On February 8, 2013, this Court ordered the Defendant to file a concise statement of the matters complained of on appeal. On March 13, 2013, the Defendant filed his untimely concise statement, which alleged four (4) issues: 1) trial counsel was ineffective for failing to investigate the Defendant's history of mental illness; 2) trial counsel was ineffective for failing to request a mental health expert for his defense; 3) trial counsel was ineffective for failing to request a competency hearing, examination and treatment; and 4) Defendant requested a hearing and determination of criminal responsibility and sentencing.

For purposes of this Opinion, the Court will rely on its Opinion and Order dated December 18, 2012, which found that the Defendant's PCRA Petition was untimely and that the issues were also waived as they could have been raised in his first and second PCRA Petitions.

DATE: _____

By the Court,

Nancy L. Butts, President Judge

xc: DA
Gregory Ricks #HZ-3245
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