

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY,
PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :
 :
 vs. : NO. CR-786-2011
 :
 EUGENE PARMENTER, : CRIMINAL DIVISION
 Defendant :
 :

Date: February 11, 2015

**OPINION IN SUPPORT OF THE ORDER OF NOVEMBER 21, 2014, IN
COMPLIANCE WITH RULE 1925(a)(2) OF THE RULES OF APPELLATE
PROCEDURE**

Eugene Parmenter, (hereinafter “Defendant”) has appealed this Court’s November 21, 2015 Order. Defendant filed his appeal on December 15, 2014 and the appeal is docketed to 2212 MDA 2014. The Order of October 31, 2014 clearly indicates that the Defendant’s underlying PCRA was not timely filed. The Court outlined the three limited exceptions to the timeliness requirement and granted the Defendant 20 days to respond. The Defendant, at no time, has raised an exception to the timeliness requirement.¹

As there was no basis to grant Defendant’s PCRA petition, the appeal should be dismissed and the Court’s Order of November 21, 2014 affirmed.

The Opinion and Order of February 25, 2013 is a comprehensive accounting of the evidence presented and analysis. The Court relies on that Opinion and Order for this

¹ The Defendant did timely file a Response to the Court’s Order of October 31, 2014. The Order of November 21, 2014 was entered without the benefit of review, however it raises no exception to the timeliness requirement.

appeal. The findings of the Court are supported by the Transcript and exhibits of the hearing held on January 25, 2013.

By the Court,

Joy Reynolds McCoy, Judge

JRM/jan

cc. Superior Court
Martin Wade, Esquire
Eugene Parmenter KG8268 PO Box Marienville PA 16239
Judges
Gary Weber, Esquire
Jerri Rook, Secretary to Judge McCoy