

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

COMMONWEALTH OF PENNSYLVANIA	:	
	:	
v.	:	No. 1330-2011
	:	CRIMINAL DIVISION
NAFIS BUIE,	:	
Defendant	:	PCRA

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

Nafis Buie (“Defendant”) appeals this Court’s dismissal of his PCRA Petition, which was filed on August 11, 2015. Counsel was appointed for Defendant on August 27, 2015, and instructed to file an amended petition or a *Turner/Finley* letter. Appointed Counsel filed a Motion to Withdraw as Counsel on October 26, 2015. The Court independently reviewed the record and agreed with Counsel’s no-merit letter. On December 22, 2015, the Court issued a notice of intention to dismiss Defendant’s PCRA Petition. On January 19, 2016, having not received a response from the Defendant to this Court’s proposed dismissal of his PCRA Petition, the Court dismissed the Petition.

The Defendant filed a timely Notice of Appeal to the Superior Court of Pennsylvania on February 3, 2016. On February 9, 2016, this Court ordered the Defendant to file and serve a concise statement of the matters complained of on appeal within 21 days pursuant to Pa.R.A.P. 1925(b). In a separate Order dated February 23, 2016, the Defendant was again reminded of his duty to file a

concise statement of matters complained of on appeal. To date, the Court has not received Defendant's concise statement. Pursuant to Pa.R.A.P. 1925(b)(4)(vii), "[i]ssues not included in the [s]tatement . . . are waived."

Because the Defendant has not properly filed and served the concise statement of matters complained of on appeal, this Court is unable to meaningfully address any issues as they have been deemed waived. For purposes of this Opinion, the Court will rely on its Opinion and Order filed December 22, 2015, which found that the Defendant's PCRA Petition was untimely and that no exception to the timeliness requirement existed.

By the Court,

Joy Reynolds McCoy, Judge

JRM/jel

cc. Superior Court
District Attorney
Nafis Buie – KU 8798, SCI Pine Grove, 189 Fyock Rd, Indiana, PA 15701
Prothonotary
Judges
Gary Weber, Esquire
Jerri Rook, Executive Secretary to Judge Joy Reynolds McCoy