

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA :  
 :  
 v. : No: 1063-2016  
 :  
 KNOWLEDGE FRIERSON, : CRIMINAL DIVISION  
 : APPEAL  
 Defendant :

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

Knowledge Frierson (Defendant) was found guilty of Murder of the Third Degree,<sup>1</sup> Aggravated Assault (attempts to cause serious bodily injury),<sup>2</sup> Aggravated Assault (attempts to cause serious bodily injury with a deadly weapon),<sup>3</sup> Possession of an Instrument of Crime,<sup>4</sup> and Tampering with Physical Evidence.<sup>5</sup> The Court then sat as factfinder on November 2, 2017, and found the Defendant guilty of Persons Not to Possess a Firearm<sup>6</sup> and Firearms Not to be carried without a License.<sup>7</sup> On February 20, 2018, the Court imposed sentences aggregating to a minimum of twenty-six (26) years to a maximum of sixty (60) years imprisonment. Defendant's Post Sentence Motion was timely filed on March 2, 2018. Argument on Defendant's Motion was held on June 29, 2018, and the Motion was subsequently denied on July 23, 2018.

On July 25, 2018, Defendant filed a timely Notice of Appeal. This Court directed Defendant, in accordance with Pa.R.A.P. No. 1925(b), to file within twenty-one (21) days a concise statement of matters complained of on appeal. The Court received the Defendant's concise statement on August 27, 2018, which alleges that this Court erred in the following ways: Denying Defendant's Motion to Suppress the statement being made to Williamsport Bureau of

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<sup>1</sup> 18 Pa.C.S. § 2501

<sup>2</sup> 18 Pa.C.S. § 2702(a)(1)

<sup>3</sup> 18 Pa.C.S. § 2702(a)(4)

<sup>4</sup> 18 Pa.C.S. § 907

<sup>5</sup> 18 Pa.C.S. § 4910

<sup>6</sup> 18 Pa.C.S. § 6105

<sup>7</sup> 18 Pa.C.S. § 6106

Police; Denying Defendant's Motion in Limine to preclude the testimony relative to gunshot residue; Failing to grant Frye hearing on the gunshot residue issue; Failing to give the missing witness instruction pertaining to Tyson Bowman; Precluding defense from calling Gregory Smith, the landlord or the real estate where the incident occurred; and Failing to grant a hearing on witness, Keith Freeman's criminal case disposition. In addition, Defendant contends the verdict rendered is inconsistent and contrary to the weight of the evidence.

For purposes of this Opinion, the Court will rely on its Opinion and Order dated July 23, 2018, which addressed and denied each of Defendant's issues brought forward on this appeal.

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

By the Court,

Nancy L. Butts, President Judge

xc: DA  
Robert Hoffa, Esq.