

this Court agrees with Attorney Allatt that Petitioner's PCRA Petition fails to raise any meritorious issues.

Whether the Petitioner is Eligible for RRRI

Petitioner asks the Court to find him eligible for RRRI due to the holding in *Commonwealth v. Cullen-Doyle*, 164 A.3d 1239 (Pa. 2017). *Cullen-Doyle* determined that a “single, present conviction for a violent crime does not constitute a history of violent behavior” under the eligibility requirements for RRRI pursuant to 61 Pa. C.S. § 4503(a)(1). *Id.* at 1244. Petitioner is not ineligible for RRRI under subsection (1), but is ineligible due to subsection (2) which states:

(2) Has not been subject to a sentence the calculation of which includes an enhancement for the use of a deadly weapon as defined under law or the sentencing guidelines promulgated by the Pennsylvania Commission on Sentencing or the attorney for the Commonwealth has not demonstrated that the defendant has been found guilty of ***or was convicted of an offense involving a deadly weapon or offense under 18 Pa.C.S. Ch. 61 (relating to firearms and other dangerous articles)*** or the equivalent offense under the laws of the United States or one of its territories or possessions, another state, the District of Columbia, the Commonwealth of Puerto Rico or a foreign nation.

61 Pa. C.S. § 4503(a)(2) (emphasis added).

Petitioner pled guilty to Persons Not to Possess Firearms, 18 Pa. C.S. § 6105 in 2010. *See Commonwealth v. Gillison*, CP-41-CR-84-2010. Therefore, the holding in *Cullen-Doyle* does not afford Petitioner relief as he is ineligible for RRRI under 61 Pa. C.S. § 4503(a)(2) for his 2010 firearms conviction.

Conclusion

Based upon the foregoing, the Court finds no basis upon which to grant Petitioner's PCRA petition or to examine the substantive merits of his claim. Additionally, the Court finds that no purpose would be served by conducting any further hearing. As such, no further hearing will be scheduled. Pursuant to Pennsylvania Rule of Criminal Procedure 907(1), the parties are

hereby notified of this Court's intention to deny Petitioner's PCRA Petition. Petitioner may respond to this proposed dismissal within twenty (20) days. If no response is received within that time period, the Court will enter an Order dismissing the Petition.

ORDER

AND NOW, this ____ day of November, 2018, it is hereby ORDERED and DIRECTED as follows:

1. Petitioner is hereby notified pursuant to Pennsylvania Rule of Criminal Procedure No. 907(1), that it is the intention of the Court to dismiss his PCRA petition unless he files an objection to that dismissal within twenty (20) days of today's date.
2. The application for leave to withdraw appearance filed November 6, 2018, is hereby GRANTED and Julian Allatt, Esq. may withdraw his appearance in the above captioned matter.
3. **Petitioner Kareem Gillison will be notified at the address below through means of certified mail.**

By the Court,

Nancy L. Butts, President Judge

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