IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	**No. CR-176-2018**
	:	
v.	:	
	:	
SAMUEL SALDIVAR, SR.	:	
Appellant	:	**CRIMINAL DIVISION**
	:	**APPEAL**

Date: September 4, 2020

OPINION IN SUPPORT OF THE COURT'S ORDERS IN COMPLIANCE WITH RULE 1925(a) OF THE RULES OF APPELLATE PROCEDURE

Samuel Saldivar (hereinafter referred to as "Appellant") files this appeal following the denial of his Motion to Dismiss on September 23, 2019 and his state sentence imposed on January 13, 2020. Defendant filed a Motion for Post Conviction Collateral Relief on February 28, 2020 and an Amended PCRA Petition was filed June 10, 2020. As a result of the Petition, the parties agreed to reinstate Appellant's direct appeal rights. The Notice of Appeal was timely filed on August 5, 2020. Appellant simultaneously filed his concise statement citing the following matters complained of:

1. The Court erred in denying his Motion to Dismiss for violation of Rule 600; and

2. The Trial Court abused its discretion when imposing sentence by failing to give adequate weight to the Defendant's Veteran status and need for treatment, and for imposing a state sentence.

The first issue regarding Appellant's Motion to Dismiss was thoroughly addressed in the Court's September 23, 2019 Opinion and Order. The second issue regarding Appellant's sentenced was thoroughly addressed in the January 13, 2020 Sentencing transcript and Order as well as the February 5, 2020 Motion to Reconsider Sentence transcript and Order. Therefore, for purposes of this Opinion, the Court will rely on the September 23, 2019 Opinion and Order denying Appellant's Motion to Dismiss and the January 13, 2020 and February 5, 2020 transcripts and Orders addressing the Court's reasoning for Appellant's sentence and denial of his Motion for Reconsideration.

BY THE COURT,

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Ryan M. Tira, Judge

RMT/ads

cc: Superior Court (Original +1)
       Court Reporters (Lisa Wertman and Camala Jordan)
       PD (NS)
       DA (KG)
       Gary Weber, Esquire – Mitchell Gallagher