

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA, :

v. :

LAWRENCE H. KNIGHT II, :

Petitioner :

CP-41-CR-393-1997

PCRA SEVENTEENTH

ORDER

AND NOW, this 24th day of September, 2021, the Court gives Petitioner (Lawrence H. Knight II) notice of its intent to dismiss as untimely his *pro se* Petition, which this Court shall treat as his Seventeenth Post Conviction Relief Act (PCRA) filed on October 19, 2020.

A petitioner must file any PCRA petition, including a second or subsequent petition, within one year of the date his judgment of sentence becomes final or plead and prove that his petition falls within one of the three statutory exceptions. 42 Pa. C.S. §9545(b). The time limits of the PCRA are jurisdictional in nature. *Commonwealth v. Howard*, 788 A.2d 351, 353 (Pa. 2002); *Commonwealth v. Palmer*, 814 A.2d 700, 704-05 (Pa. Super. 2002). “[W]hen a PCRA petition is not filed within one year of the expiration of direct review, or not eligible for one of the three limited exceptions, or entitled to one of the exceptions, but not filed within [one year] of the date that the claim could have been first brought, the trial court has no power to address the substantive merits of a petitioner’s PCRA claims.” *Commonwealth v Gamboa-Taylor*, 753 A.2d 780, 783 (Pa. 2000); 42 Pa. C.S. 9545(b)(2) (time to file pursuant to a defined exception extended from sixty days to one year effective on December 24, 2018).

As noted in prior Opinions, Petitioner’s judgment of sentence became final as of November 8, 1999. Petitioner’s Seventeenth PCRA petition was not filed until October 19, 2020, and he did not allege facts to support any of the statutory exceptions. Instead, Petitioner repeats the same blanket allegations included in his prior PCRA petitions without providing

any fortifying facts to show any of the falsification, blackmail, extortion, conspiracy, or false imprisonment claims that Petitioner has filed with this Court many times over. Petitioner also asserts that this Court has denied him unhampered access to the courts. Petitioner, nor anyone else, is entitled to such access. This Court will note that it has responded to each of Petitioner's voluminous and repetitive filings. Nevertheless, Petitioner is not entitled to evidentiary hearings based solely on these mere assertions and his repeated failure to allege sufficient facts that would mandate an evidentiary hearing. Additionally, Petitioner's claims have previously been addressed on their merits to be not entitled to relief, Petitioner is extremely untimely, and he raises no factual reason as to how he satisfies the timeliness exception. Therefore, this Court lacks jurisdiction to address the merits of Petitioner's PCRA petition.

Accordingly, as no purpose would be served by conducting any further hearing, none will be scheduled and the parties are hereby notified of this Court's intention to dismiss 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.

By the Court,

Nancy L. Butts, President Judge

cc: DA
Lawrence Knight, II DQ2131
SCI Rockview
Box A
Bellefonte, PA 16823

NLB/jmh