

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA	:	No. CR-1758-2019
	:	648 MDA 2022
v.	:	
	:	
NATHANIEL NYIEM HILL	:	CRIMINAL DIVISION
	:	APPEAL

*Date: June 3, 2022*

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

Nathaniel Nyiem Hill (hereinafter referred to as “Appellant”) files this appeal following a bench trial before this Court on September 13, 2021 at which time Defendant was found guilty of all of the following charges:

- Count 1 – Possession with Intent to Deliver;<sup>1</sup>
- Count 2 – Delivery of a Controlled Substance;<sup>2</sup>
- Count 3 – Criminal Use of a Communication Facility;<sup>3</sup>
- Count 4 – Possession of a Controlled Substance;<sup>4</sup> and
- Count 5 – Possession of Drug Paraphernalia.<sup>5</sup>

Defendant filed a Motion for New Trial on September 22, 2021 arguing that the verdict rendered by the Court was against the weight of the evidence. By Order dated January 25, 2022, the Appellant’s post-sentence motion was denied. On March 25, 2022, the Appellant was sentenced to an aggregate sentence of 48-108 months in a state correctional institution, to run consecutive to any sentence the Appellant is

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<sup>1</sup> 35 P.S. § 780-113(a)(30).

<sup>2</sup> 35 P.S. § 780-113(a)(30).

<sup>3</sup> 18 Pa.C.S.A. § 7512.

<sup>4</sup> 35 P.S. § 780-113(a)(16).

currently serving. Thereafter, Appellant's Notice of Appeal was timely filed on April 21, 2022, and Appellant timely filed his Concise Statement of Matters Complained of on Appeal on May 5, 2022, wherein he cites the following:

1. The verdict rendered by the Court was against the weight of the evidence presented at trial.
2. The Court erred in finding Defendant guilty when there was lack of sufficient evidence to support a finding of guilt.
3. The Court erred in denying Defendant's Post Trial Motion.

Appellant's allegation that the verdict rendered by the Court was against the weight of the evidence presented at trial was thoroughly addressed in the Court's January 25, 2022, Opinion and Order denying Appellant's Motion for a New Trial. Although the Appellant's Motion for a New Trial did not allege a claim that the evidence presented at trial was insufficient to support a finding of guilt, this Court's Order and Opinion of January 25, 2022, contained an analysis of the evidence used to satisfy each element of the crimes for which Appellant was found guilty. This Court will rely on its Order and Opinion of January 25, 2022, for the purpose of this Appeal Opinion.

BY THE COURT,

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Ryan M. Tira, Judge

RMT/jel  
cc: Superior Court (Original +1)  
Court Reporter  
DA  
Andrea Pulizzi, Esquire  
Gary Weber, Esquire  
Jennifer E Linn, Esquire – Judge Tira's Office

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<sup>5</sup> 35 P.S. § 780-113(a)(32).