

G. Weber

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH

: No. CP-41-CR-1870-2017

vs.

JAMES EDWARD NOTTINGHAM,
Appellant

: 1925(a) Opinion

FILED
LYCOMING COUNTY
2024 MAR -1 PM 4:19
THOMAS D. HEAP
CLERK OF COURTS

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

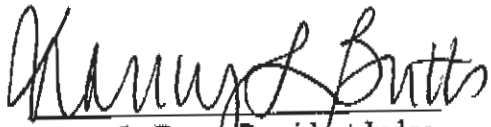
This opinion is written in support of this court's order date November 29, 2023, which dismissed the Post Conviction Relief Act (PCRA) petition filed by James Edward Nottingham (Nottingham).

The court dismissed Nottingham's PCRA petition because it was patently untimely. The court did not address the merits of Nottingham's petition because it lacked jurisdiction to do so. Nottingham appealed and asserted issues related to the merits of his petition. Nottingham has not alleged facts to show that his petition is timely. He also has not challenged the court's finding that his petition was untimely. The court cannot address the merits of an untimely petition. Therefore, the court will not address the issues contained in Nottingham's concise statement of errors complained of on appeal because it still lacks jurisdiction to do so. Instead, the court will rely on its Opinion and Order entered on September 13, 2023, which provided Nottingham with notice of its intent to dismiss his PCRA petition as untimely. For the benefit of the appellate courts and the

parties, the court is attaching a copy of that Opinion and Order to this 1925(a) Opinion as Exhibit A.

DATE: _____

By The Court,


Nancy L. Butts, President Judge

(NLB/laf)

cc: District Attorney
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Superior Court (original & 1)