

IN THE COURT OF COMMON PLEAS OF LYCOMING COUNTY, PENNSYLVANIA

COMMONWEALTH OF PENNSYLVANIA : No. 98-11,453

VS :

DALE BOWER :

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

Defendant appeals this Court's Order dated May 8, 2001, which dismissed his petition for post-conviction relief. The reasoning in support of this Court's Order dismissing Defendant's petition for post conviction relief is in this Court's Opinion accompanying the May 8,2001 Order. The Court notes that since the petition was dismissed as being untimely filed, and not falling under one of the enumerated exceptions under 42 Pa.C.S.A. § 9545(b)(1), the Court found it was without jurisdiction, and therefore did not address Defendant's assertion with regard to the legality of his sentence.

Dated:

By The Court,

Nancy L. Butts, Judge

xc: Edward J. Rymza, Esquire
Kenneth Osokow, Esquire
Honorable Nancy L. Butts
Law Clerk
Gary Weber, Esquire
Judges