

MARSHA STONG, personal representative	:	IN THE COURT OF COMMON PLEAS OF
of the Estate of ROBERT STONG,	:	LYCOMING COUNTY, PENNSYLVANIA
Deceased, on behalf of the Estate of	:	
ROBERT STONG and on behalf of	:	
MARSHA STONG and JOHN STONG,	:	
the intestate heirs of ROBERT STONG,	:	
Petitioner	:	
	:	
vs.	:	NO. 98-01,514
	:	
COMMONWEALTH OF PENNSYLVANIA:	:	
DEPARTMENT OF TRANSPORTATION	:	
and SABRINA C. DAY,	:	
Respondent	:	1925(a) OPINION

Date: December 28, 2001

**OPINION IN SUPPORT OF THE ORDER OF OCTOBER 15, 2001 IN COMPLIANCE
WITH RULE 1925(a) OF THE RULES OF APPELLATE PROCEDURE**

As appealed, this Court's Order of October 15, 2001, granted a new trial to Plaintiff as to Defendant PennDOT. Plaintiff has filed a cross-appeal as to that portion of the Court's Order of October 15, 2001 which sustained the jury's finding of no negligence as to Defendant, Sabrina C. Day and denying Plaintiff's request for a new trial as to Defendant Day.

Each party has filed a Concise Statement of Matters Complained of on Appeal. This Court believes that all of the issues raised in the Concise Statement of Matters Complained of on Appeal are addressed by this Court's Opinion of October 15, 2001.

Therefore, this Court urges that each Appeal be dismissed.

BY THE COURT,

William S. Kieser, Judge

cc: Gary L. Harris, Esquire
Daniel R. Goodemote, Esquire
Office of Attorney General; Torts Litigation Section
15th Floor Strawberry Square; Harrisburg, PA 17120
Jefferson J. Shipman, Esquire
P. O. Box 1268; Harrisburg, PA 17108-1268
Judges