

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Francis O'Neill,	:	
	:	
Petitioner	:	
	:	
v.	:	
	:	
Commonwealth of Pennsylvania,	:	
Pennsylvania Department of	:	
Corrections,	:	
	:	
Respondent	:	No. 17 M.D. 2011

ORDER

NOW, October 27, 2011, upon consideration of petitioner's motion for reconsideration, respondent's motion for reconsideration and petitioner's answer, reconsideration is granted. Our Memorandum Opinion and Order, filed September 29, 2011, are withdrawn.

Because there is a material fact in dispute, the Department of Corrections' preliminary objection is overruled. The Department shall file an answer to the petition for review by November 28, 2011.

BY THE COURT:

Bonnie Brigance Leadbetter
President Judge