## [J-64-2006] IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA, : No. 118 MAP 2005

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Appellee

: Appeal from the Order of the Superior : Court entered on December 8, 2004 at

v. : No. 446 MDA 2004 affirming the

: Judgment of Sentence of the Court of: Common Pleas of Dauphin County,

LEROY EUGENE WALTON, : Criminal Division, entered on February 18,

: 2004 at No. 2341 C.R. 2003

Appellant :

: 869 A.2d 16 (Pa. Super. 2004)

:

: ARGUED: May 8, 2006

## <u>ORDER</u>

PER CURIAM DECIDED: JUNE 1, 2006

Appeal dismissed as having been improvidently granted.

Madame Justice Baldwin did not participate in the consideration or decision of this matter.