IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA, : No. 149 MAL 2012

Respondent

: Petition for Allowance of Appeal from the

: Order of the Superior Court

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:

DAVID J. CAPPS JR.,

Petitioner

<u>ORDER</u>

PER CURIAM

AND NOW, this 28th day of November, 2012, the Petition for Allowance of Appeal is **DENIED**.