

**IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT**

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|-------------------------------|---|---|
| COMMONWEALTH OF PENNSYLVANIA, | : | No. 119 EAL 2013 |
| | : | |
| Respondent | : | |
| | : | |
| v. | : | Petition for Allowance of Appeal from the |
| | : | : Unpublished Memorandum and Order |
| | : | : of the Superior Court at No. 1669 EDA |
| | : | : 2011 filed January 24, 2013, affirming the |
| | : | : Judgment of Sentence of the Philadelphia |
| ALBERT JABBAR, | : | : County Court of Common Pleas at No. |
| | : | : CP-51-CR-0008907-2010 filed May 13, |
| Petitioner | : | : 2011 |

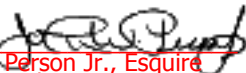
ORDER

PER CURIAM

AND NOW, this 2nd day of April, 2014, the Petition for Allowance of Appeal is **GRANTED, LIMITED TO** Petitioner’s sentencing claim, insofar as it challenges the application of 42 Pa.C.S.A. § 9712.1’s requirements of “actual or constructive possession or control” and “close proximity.” Further, the Superior Court’s decision affirming the imposition of a sentence of a mandatory minimum sentence under Section 9712.1 is **VACATED**, and the matter is **REMANDED** to the Superior Court for further proceedings in light of Commonwealth v. Hanson, 82 A.3d 1023 (Pa. 2013). In all other respects, the Petition for Allowance of Appeal is **DENIED**.

Jurisdiction relinquished.

A True Copy
As Of 4/2/2014

Attest: 
John W. Person Jr., Esquire
Deputy Prothonotary
Supreme Court of Pennsylvania