[J-28-2014]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	: No. 26 WAP 2013
	:
Appellee	: Appeal from the Order of the Superior Court entered November 30, 2012 at No. 762 WDA 2011, affirming the Judgment of Sentence of the Court of Common Pleas of Cambria County, entered February 17, 2011 at No. CP-11-CR-0001144-1992.
v.	
ERNEST SIMMONS,	:
	: ARGUED: April 9, 2014
Appellant	:

CONCURRING STATEMENT

I join this Court's *per curiam* affirmance. Nevertheless, I wish to emphasize my view that the communication of threats made by a probationer to an intended victim is not a requirement to find the probationer engaged in "assaultive behavior" in violation of the general condition for special probation or parole set forth in 37 Pa. Code § 65.4(5)(iii).