

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

COMMONWEALTH OF PENNSYLVANIA, : No. 389 MAL 2012

Respondent

v.

REINERIO VELAZCO-MENA,

Petitioner

:
:

: Petition for Allowance of Appeal from the
: **Unpublished Memorandum and Order**
: of the Superior Court at No. 989 MDA
: 2011 filed April 13, 2012, **affirming** the
: Judgment of Sentence of the Berks
: County Court of Common Pleas at No.
: CP-06-CR-0001998-2009 filed May 6,
: 2011

ORDER

PER CURIAM

DECIDED: April 14, 2014

AND NOW, this 14th day of April, 2014, the Petition for Allowance of Appeal is **GRANTED**, limited to the following issue as stated by Petitioner:

Whether the trial court erred in imposing the mandatory minimum sentence pursuant to 42 Pa. C.S. 9712.1(a) over the [Petitioner’s] objection on the grounds that the firearm in question was not found “in close proximity” to the drugs found in Petitioner’s residence?

The Superior Court’s decision affirming the imposition 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).