

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

|                               |   |                 |
|-------------------------------|---|-----------------|
| COMMONWEALTH OF PENNSYLVANIA, | : | No. 162 MM 2017 |
|                               | : |                 |
| Respondent                    | : |                 |
|                               | : |                 |
| v.                            | : |                 |
|                               | : |                 |
| STEWART C. SMITH,             | : |                 |
|                               | : |                 |
| Petitioner                    | : |                 |

**ORDER**

**PER CURIAM**

**AND NOW**, this 1st day of December, 2017, the Application for Leave to File Petition for Allowance of Appeal *Nunc Pro Tunc* is DENIED.