

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

DANIEL HARMON,	:	No. 307 EAL 2017
	:	
Petitioner	:	Petition for Allowance of Appeal from
	:	the Order of the Commonwealth Court
	:	
v.	:	
	:	
	:	
UNEMPLOYMENT COMPENSATION	:	
BOARD OF REVIEW,	:	
	:	
Respondent	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 28<sup>th</sup> day of November, 2017, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by petitioner, are:

- a. Did the Commonwealth Court inappropriately expand the concept of administrative deference by evaluating the Board's litigation posture for clear error, so that Commonwealth agency decisions will essentially become unreviewable?
- b. Did the Commonwealth Court misconstrue and misapply this Court's holding in *Chamberlain v. Unemployment Compensation Board of Review* by applying it to disqualify anyone who is serving a sentence of incarceration?
- c. Does Section 402.6 of the Unemployment Compensation Law contain a durational requirement such that only claimants who are incarcerated for the entire claim week in question are disqualified?

The Application for Relief in the Form of Leave to File an *Amici Curiae* Brief in Support of the Petition for Allowance of Appeal of Community Legal Services, Inc., the National Employment Law Project, the Public Interest Law Center, and the Homeless

Advocacy Project is **DENIED**. The Application for Relief in the Form of Leave to File an *Amici Curiae* Brief in Support of the Petition for Allowance of Appeal of the Defender Association of Philadelphia is also **DENIED**.