

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

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| COMMONWEALTH OF PENNSYLVANIA, | : | No. 252 MAL 2021 |
| | : | |
| Respondent | : | |
| | : | |
| v. | : | Petition for Allowance of Appeal from the Order of the Superior Court |
| | : | |
| | : | |
| JQUAN HUMPHREY, | : | |
| | : | |
| Petitioner | : | |
| | : | |
| COMMONWEALTH OF PENNSYLVANIA, | : | No. 253 MAL 2021 |
| | : | |
| Respondent | : | |
| | : | |
| v. | : | Petition for Allowance of Appeal from the Order of the Superior Court |
| | : | |
| | : | |
| JQUAN HUMPHREY, | : | |
| | : | |
| Petitioner | : | |

ORDER

PER CURIAM

AND NOW, this 10th day of November, 2021, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by petitioner, are:

- (1) Whether the [t]rial [c]ourt erred in dismissing charges against Petitioner pursuant to 50 P.S. § 7403, even though this penal statute provides for the dismissal of charges against an individual when a trial court feels continued prosecution would be unjust?
- (2) Whether the [t]rial [c]ourt erred in dismissing charges against Petitioner pursuant to 50 P.S. § 7403 where the [t]rial [c]ourt had

before it significant information accumulated over nine months expended on these matters, and where the [t]rial [c]ourt found that, due to Petitioner's severe incompetence and passage of time, it would already be unjust to ever resume prosecution?

- (3) Whether the [t]rial [c]ourt erred in dismissing charges against Petitioner pursuant to 50 P.S. § 7403 instead of ordering another competency evaluation, despite the fact that Petitioner had not undergone any competency restoration services and that the [t]rial [c]ourt had already found that it would be unjust for Petitioner to be prosecuted in the future?