

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

ROBERT MCDONALD,	:	No. 290 MAL 2005
	:	
Petitioner	:	
	:	
v.	:	Petition for Allowance of Appeal from the
	:	Order of the Commonwealth Court
	:	entered March 22, 2005 at 36 MD 2005.
	:	
	:	
JEFFREY A. BEARD, SECRETARY,	:	
PENNSYLVANIA DEPARTMENT OF	:	
CORRECTIONS,	:	
	:	
Respondent	:	

ORDER

PER CURIAM

DECIDED: November 21, 2006

The Petition for Allowance of Appeal is **GRANTED** and the Order of the Commonwealth Court is **VACATED**. See *DeWeese v. Cortes*, 906 A.2d 1193 (Pa. 2006).