

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 442 MAL 2012
	:	
Respondent	:	Petition for Allowance of Appeal from the
	:	Unpublished Memorandum and Order of
v.	:	the Superior Court at No. 1759 MDA 2011
	:	filed May 8, 2012, affirming the Judgment
	:	of Sentence of the Dauphin County Court
	:	of Common Pleas at No.
WALTER K. GIKAMI,	:	CP-22-CR-0002267-2010 filed September
	:	19, 2011.
Petitioner	:	

ORDER

PER CURIAM

DECIDED: March 11, 2014

AND NOW, this 11th day of March 2014, the Petition for Allowance of Appeal is **GRANTED**, the Superior Court's decision is **VACATED**, and the matter is **REMANDED** to the Common Pleas Court for further proceedings consistent with Commonwealth v. Holmes, 79 A.3d 562 (Pa. 2013).

Mr. Justice Stevens would deny, clarifying that he would not want to encourage trial courts to automatically accept claims of ineffectiveness simply because of the alleged failure of counsel to mention deportation as a possible consequence.