

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 509 MAL 2003
	:	
Petitioner	:	Petition for Allowance of Appeal from
	:	the Order of the Superior Court
	:	
v.	:	
	:	
	:	
DONALD MCALLISTER,	:	
	:	
Respondent	:	
	:	
	:	
	:	

**ORDER**

**PER CURIAM:**

**DECIDED: April 13, 2004**

**AND NOW**, this 13<sup>th</sup> day of April 2004, we **GRANT** the Petition for Allowance of Appeal and **REVERSE** the Order of the Superior Court based on the decision of this Court in Commonwealth v. Baker, 615 A.2d 23 (Pa. 1992).