

IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT

M.D. Appeal Dkt.  
17 MAP 2014

COMMONWEALTH OF PENNSYLVANIA, : No. 768 MAL 2013  
: Respondent :  
: :  
: Petition for Allowance of Appeal from the  
: Order of the Superior Court  
v. :  
: :  
: :  
GREGORIO TORO, III, :  
: :  
: :  
Petitioner :

**ORDER**

**PER CURIAM**

**AND NOW**, this 12th day of March, 2014, the Petition for Allowance of Appeal is  
**GRANTED**. The issue is:

Whether Superior Court erred because it affirmed the PCRA court but for different reasons; namely, that the [p]etition was untimely and this determination was made sua sponte by the Superior Court but is erroneous because the issues being adjudicated were raised in a timely PCRA but subsequent PCRA's [sic] were filed for procedural defects of the Common Pleas Court or abandonment by prior PCRA counsel?