## [J-105-2006] IN THE SUPREME COURT OF PENNSYLVANIA WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA, : No. 50 WAP 2005

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Appellee : Appeal from the Order of the Superior

Court entered May 27, 2003 at No. 1364WDA 2001 affirming the Judgment of

v. : Sentence of the Court of Common Pleas

: of Allegheny County entered July 19, 2001

: at CP-02-CR-0000537-2001.

JAMES MARTIN MUDD, III,

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Appellant : ARGUED: September 11, 2006

## **ORDER**

PER CURIAM DECIDED: OCTOBER 17, 2006

Appeal dismissed as having been improvidently granted.

Madame Justice Baldwin files a Dissenting Statement.