

J-111-2006
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

IN THE INTEREST OF A.P., A MINOR,	:	No. 5 WAP 2006
	:	
Appellant	:	Appeal from the Order of the Superior
	:	Court entered August 26, 2005 at No.
	:	1882 WDA 2004, quashing the appeal
	:	from the Order of the Court of Common
	:	Pleas of Allegheny County entered
	:	September 30, 2004 at 793-03.
	:	
	:	
	:	SUBMITTED: July 13, 2006

ORDER

PER CURIAM

DECIDED: OCTOBER 24, 2006

AND NOW, this 24th day of October, 2006, the Order of the Superior Court is **REVERSED**, appellant's appeal is **REINSTATED** and this matter is **REMANDED** to the Superior Court for consideration on the merits. The Superior Court panel erred in raising the issue of appellant's standing to appeal *sua sponte*, and then quashing the appeal upon that ground. See, e.g., In re Nomination Petition of deYoung, 903 A.2d 1164 (Pa. 2006) (a court is prohibited from raising the issue of standing *sua sponte*). Furthermore, we note that the Commonwealth agreed with appellant that he has standing to appeal in this case. Jurisdiction relinquished.