

[J-115-2005]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

CAPPY, C.J., CASTILLE, NIGRO, NEWMAN, SAYLOR, EAKIN, BAER, JJ.

WILSON AREA SCHOOL DISTRICT,	: No. 45 MAP 2005
	:
Appellant	:
	: Appeal from the Order of the
	: Commonwealth Court entered on October
v.	: 28, 2004, at No. 2550 CD 2003, affirming
	: the Order of the Court of Common Pleas
	: of Northampton County, entered on
FRANKLIN E. SKEPTON, JOSEPH	: October 16, 2003, at No. C-48-CV-2001-
BOZZELLI, INDIVIDUALLY AND T/A J.B.	: 1166.
PLUMBING COMPANY, AND DUAL	:
TEMP COMPANY, INC.,	: 860 A.2d 625 (Pa. Cmwlth. 2004)
	:
Appellees	: ARGUED: October 18, 2005

DISSENTING OPINION

MADAME JUSTICE NEWMAN

DECIDED: April 21, 2006

I respectfully dissent and would find that the Wilson Area School District is entitled to the illegally collected permit fees for the reasons set forth in my Dissenting Opinion in Skepton v. Borough of Wilson, 755 A.2d 1267 (Pa. 2000) (Newman, J. dissenting).