[J-120-2004] IN THE SUPREME COURT OF PENNSYLVANIA WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,: No. 9 WAP 2004

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Appellee

: Appeal from the Order of the Superior: Court entered August 19, 2003 at No.: 1827WDA2002, affirming the Order of the

: Court of Common Pleas of Erie County: entered May 3, 2002 at No. 1887of2001.

JAMAR PHILLIPS,

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Appellant : Submitted: May 5, 2004

<u>ORDER</u>

PER CURIAM DECIDED: OCTOBER 20, 2004

AND NOW, this 20th day of October, 2004, the order of the Superior Court is hereby **AFFIRMED**.