

[J-123-97]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	33 W.D. Appeal Dkt. 1997
	:	
Appellee	:	Appeal from the Order of the Superior
	:	Court at No. 1972PGH95 entered
	:	December 16, 1996 affirming the Order of
v.	:	the Court of Common Pleas of Allegheny
	:	County, Criminal Division, entered
	:	October 16, 1995 at Nos. CC 85-00182,
ORVILLE ALLEN,	:	CC 85-00183, CC 85-00184, CC 85-
	:	00185, CC 85-00186, CC 85-00187, CC
Appellant	:	85-00188, CC 85-00315.
	:	
	:	
	:	
	:	SUBMITTED: September 8, 1997

DISSENTING OPINION

MR. JUSTICE SAYLOR

DECIDED: MAY 25, 1999

I join the dissenting opinion authored by Mr. Justice Nigro. I write only to note my belief that the finality concerns underpinning the rule fashioned in Commonwealth v. Lawson, 519 Pa. 504, 549 A.2d 107 (1988), are adequately addressed by the one-year filing limitation now incorporated into the Post Conviction Relief Act, see 42 Pa.C.S. §9545, which was upheld by this Court in Commonwealth v. Peterkin, 554 Pa. 547, 722 A.2d 638 (1998). Thus, prospectively, it should be unnecessary, in the context of serial PCRA filings, to undertake the inherently vexing task of distinguishing between those prejudicial errors which undermine the reliability of a verdict and would require relief under the terms of the PCRA, and such errors as can be said to have resulted in a miscarriage of justice.