

**IN THE SUPREME COURT OF PENNSYLVANIA  
EASTERN DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	11 Eastern District Appeal Docket 1999
	:	
Appellee	:	
	:	
v.	:	Appeal from the Superior Court at No.
	:	2716 Philadelphia 1997 reversing the
	:	Order of the Court of Common Pleas of
	:	Philadelphia County, Criminal Division
	:	entered May 29, 1997 at No. 1044,
DAVID JOHNSON,	:	February Term 1995
	:	
Appellant	:	Argued: October 21, 1999

**ORDER**

**PER CURIAM:**

**AND NOW**, this 20<sup>th</sup> day of December, 1999 the appeal is dismissed as having been improvidently granted.

Mr. Justice Nigro dissents.