

NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P 65.37

COMMONWEALTH OF PENNSYLVANIA

Appellee

v.

SANTOS CRUZ

Appellant

IN THE SUPERIOR COURT OF
PENNSYLVANIA

No. 1551 EDA 2012

Appeal from the Judgment of Sentence April 16, 2012
In the Court of Common Pleas of Philadelphia County
Criminal Division at No(s): CP-51-CR-0005036-2011

BEFORE: ALLEN, J., OTT, J., and COLVILLE, J.*

CONCURRING STATEMENT BY OTT, J.:

FILED DECEMBER 03, 2013

I agree with the result reached by the Majority to affirm the judgment of sentence. I write separately, however, since I would find that the “reasonable suspicion” issue raised by Cruz in this appeal is fairly encompassed within the challenge that was presented to the suppression court, and that the suppression court did not err in denying relief. Therefore, I respectfully concur.

* Retired Senior Judge assigned to the Superior Court.