

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA,

Appellee

v.

KHILLE BAYLIS,

Appellant

IN THE SUPERIOR COURT OF
PENNSYLVANIA

No. 1748 MDA 2012

Appeal from the PCRA Order of September 28, 2012,
in the Court of Common Pleas of Lancaster County,
Criminal Division at No. CP-36-CR-0001161-2008

BEFORE: SHOGAN, MUNDY and COLVILLE*, JJ.

MEMORANDUM BY COLVILLE, J.:

FILED MAY 29, 2013

This is an appeal from an order denying Appellant's petition filed pursuant to the Post Conviction Relief Act ("PCRA"). We affirm.

Given the manner in which we dispose of this appeal, we only will briefly summarize the background underlying the matter. A jury convicted Appellant of, *inter alia*, attempted murder. The trial court sentenced Appellant to an aggregate term of imprisonment of fourteen to twenty-eight years. This Court affirmed the judgment of sentence. ***Commonwealth v. Baylis***, 998 A.2d 1026 (Pa. Super. 2010) (unpublished memorandum). Appellant petitioned our Supreme Court for allowance of appeal. The Supreme Court denied the petition. ***Commonwealth v. Baylis***, 9 A.3d 626 (Pa. 2010). Appellant, acting *pro se*, timely filed a PCRA petition. The PCRA

*Retired Senior Judge assigned to the Superior Court.

court appointed counsel, and counsel filed an amended PCRA petition. After holding an evidentiary hearing, the PCRA court denied the petition. Appellant timely filed a notice of appeal.

In his brief to this Court, Appellant asks us to consider the following question.

A. WHETHER COUNSEL WAS INEFFECTIVE WHEN SHE FAILED TO LITIGATE DURING THE DIRECT APPEAL THAT THE EVIDENCE WAS INSUFFICIENT TO SUPPORT THE VERDICT OF THE JURY FINDING THE DEFENDANT GUILTY OF ATTEMPTED MURDER WHEN THE COMMONWEALTH FAILED TO PROVE BEYOND A REASONABLE DOUBT THAT THE DEFENDANT HAD THE SPECIFIC INTENT TO KILL?

B. WHETHER COUNSEL WAS INEFFECTIVE WHEN SHE FAILED TO LITIGATE DURING THE DIRECT APPEAL THAT THE COMMONWEALTH DID NOT ESTABLISH REASONABLE SUSPICION FOR THE INVESTIGATORY STOP OF THE DEFENDANT WHEN THE POLICE OFFICERS AT THE SUPPRESSION HEARING TESTIFIED IN A VERY CONCLUSORY MANNER AND MERELY STATED THAT THE DEFENDANT "MATCHED" A DESCRIPTION AND GAVE NO SPECIFICITY CONCERNING HIS APPEARANCE AT THE TIME HE WAS STOPPED?

Appellant's Brief at 4.

Generally speaking, "[o]n appeal from the denial of PCRA relief, an appellate court's standard of review is whether the ruling of the PCRA court is free of legal error and supported by the record." **Commonwealth v. Jones**, 932 A.2d 179, 181 (Pa. Super. 2007).

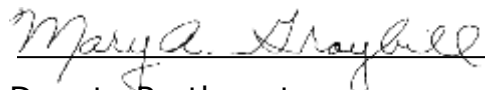
In the PCRA court, Appellant argued that appellate counsel rendered ineffective assistance by failing to litigate on direct appeal that the Commonwealth failed to present sufficient evidence at trial to support his

attempted murder conviction and that the trial court erred by denying his motion to suppress wherein Appellant claimed, *inter alia*, that the police lacked the requisite suspicion to stop Appellant. The PCRA court addressed these arguments in its opinion in support of its order denying Appellant's PCRA petition. PCRA Court Opinion, 09/28/12.

On appeal, Appellant simply renews the arguments he presented to the PCRA court. He does not address the PCRA court's analysis of those arguments, let alone assign any error to the court's analysis. **See *Commonwealth v. Wrecks*, 931 A.2d 717, 722 (Pa. Super. 2007)** ("An appellant also has the burden to convince us that there were errors and that relief is due because of those errors."). Moreover, after a review of the parties' briefs and the certified record, we can discern no error in the court's opinion. We, therefore, rely on that opinion in affirming the order denying Appellant's PCRA petition.

Order affirmed.

Judgment Entered.


Deputy Prothonotary

Date: 5/29/2013

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA :
 :
 vs. :
 :
 KHILLE BAYLIS :

No. 1161 - 2008

CLERK OF COURTS
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LANCASTER COUNTY, PA

OPINION AND ORDER

By CULLEN, J.

On November 14, 2008, Defendant, Khille Baylis, was found guilty by a jury of criminal attempt-homicide,¹ aggravated assault,² possession with intent to deliver cocaine,³ firearms not to be carried without a license⁴ and recklessly endangering another person.⁵ Defendant was also found guilty by the Court of possession of marijuana, 35 P.S. § 780-113(a)(31)(i) and discharge of a firearm in the City of Lancaster, Lanc. Ord. 129-12(A).

These offenses occurred on the night of January 27, 2008. On that occasion, Defendant knocked on the door of an apartment in the City of Lancaster looking for a particular individual. Defendant was told the person he was looking for did not live at the apartment, and Defendant left only to return a second time looking for another individual. Again, Defendant was told that he had the wrong apartment and he left.

¹18 Pa. C.S. § 901(a).

²18 Pa. C.S. § 2702(a)(1).

³35 Pa. C.S. § 708-113(a)(30).

⁴18 Pa. C.S. § 6106(a)(1).

⁵18 Pa. C.S. § 2705.

Defendant returned a third time and knocked on the door. This time, the occupant again told Defendant he had the wrong apartment and not to knock on the door again. An argument ensued and Defendant pulled a handgun from around his waist. The occupant slammed the door shut as Defendant fired thirteen shots into the door and wall of the apartment before fleeing. None of the bullets penetrated the door and neither of the occupants of the apartment was injured.

Defendant was later apprehended by the police about two blocks from the location of the shooting. Defendant had the firearm used in the incident as well as four baggies of crack cocaine and six baggies of marijuana when he was taken into custody.

On February 26, 2009, Defendant was sentenced to an aggregate term of not less than 14 nor more than 28 years incarceration.

Defendant's post sentence motion was denied on March 18, 2009, and he filed his notice of appeal to the Superior Court on April 17, 2009.

The Superior Court affirmed the judgment of sentence on April 29, 2010. *Commonwealth v. Baylis*, 998 A.2d 1026 (table) (Apr. 29, 2010). Defendant's petition for allowance of appeal was denied on November 1, 2010. *Commonwealth v. Baylis*, 608 Pa. 634, 9 A.3d 626 (table) (Nov. 1, 2010).

Defendant, acting *pro se*, filed a motion for post conviction collateral relief on November 8, 2011. Counsel was appointed to represent him, and an amended motion was filed on February 14, 2012.

A hearing on the amended motion was held on May 2, 2012. At the conclusion of the hearing, the Court ordered the notes of testimony transcribed and established a

briefing schedule. All briefs have now been received.⁶ For the reasons set out below, the Court concludes that Defendant has failed to establish that he is entitled to relief. Accordingly, the amended motion will be denied.

Discussion

In order to be eligible for relief under the Post Conviction Relief Act (the "Act"),⁷ a defendant must satisfy the requirements of 42 Pa. C.S. § 9543 which provide in pertinent part:

§ 9543. Eligibility for relief

(a) General rule.--To be eligible for relief under this subchapter, the petitioner must plead and prove by a preponderance of the evidence all of the following:

(1) That the petitioner has been convicted of a crime under the laws of the Commonwealth and is at the time relief is granted:

(i) currently serving a sentence of imprisonment, probation, or parole for the crime;

...

(2) That the conviction or sentence resulted from one or more of the following:

...

(ii) Ineffective assistance of counsel which, in the circumstances of the particular case, so undermined the truth-determining process that no reliable adjudication of guilt or innocence could have taken place.

...

⁶The untimely filing of the Commonwealth's brief has delayed resolution of this matter.

⁷42 Pa. C.S. §§ 9541-9546.

(4) That the failure to litigate the issue prior to or during trial, during unitary review or on direct appeal could not have been the result of any rational, strategic or tactical decision by counsel.

42 Pa. C.S. § 9543(a).

The defendant bears the burden of establishing by a preponderance of the evidence that his conviction resulted from one or more of the enumerated errors listed in the Act. *Commonwealth v. Zook*, 585 Pa. 11, 25, 887 A.2d 1218, 1226 (2005); *Commonwealth v. Crawley*, 541 Pa. 408, 412, 663 A.2d 676, 678 (1995).

Since Defendant's post conviction motion involves a claim of ineffective assistance of counsel, the following standards apply. Generally, counsel's performance is presumed to be constitutionally adequate, and counsel will only be deemed ineffective upon a sufficient showing by the petitioner. *Commonwealth v. Dennis*, 597 Pa. 159, 174, 950 A.2d 945, 954 (2008). To obtain relief, the petitioner must demonstrate that counsel's performance was deficient and that deficiency prejudiced the petitioner. *Strickland v. Washington*, 466 U.S. 668, 687, 104 S. Ct. 2052, 2064 (1984). A petitioner establishes prejudice when he demonstrates "that there is a reasonable probability that, but for counsel's unprofessional errors, the result of the proceeding would have been different." *Id.* at 694, 104 S. Ct. at 2068; *Commonwealth v. Mallory*, 596 Pa. 172, 201, 941 A.2d 686, 704 (2008). Applying the *Strickland* performance and prejudice test, the Pennsylvania Supreme Court has noted that a properly pled claim of ineffective assistance of counsel posits that: "(1) the underlying legal issue has arguable merit; (2) counsel's actions lacked an objective reasonable basis; and (3) actual prejudice befell [the] petitioner from counsel's

act or omission.” *Commonwealth v. Tedford*, 598 Pa. 639, 659-60, 960 A.2d 1, 12 (2008) (citing *Commonwealth v. Pierce*, 515 Pa. 153, 157-58, 527 A.2d 973, 975 (1987) (adopting the U.S. Supreme Court's holding in *Strickland*)).

In evaluating a properly presented claim of ineffective assistance of counsel, a reviewing court will examine the basis for counsel's action only if it is first persuaded that the course of action forgone had arguable merit. *Commonwealth v. Pursell*, 555 Pa. 233, 255-56, 724 A.2d 293, 304 (1999). If the claim is without merit, the inquiry ends because counsel will not be deemed ineffective for failing to pursue a meritless, baseless or frivolous claim. *Commonwealth v. Rega*, 593 Pa. 659, 696, 933 A.2d 997, 1019 (2007).

In evaluating the second prong of the standard which requires an examination of counsel's conduct, the court must not employ a hindsight evaluation that examines whether other actions were more reasonable. *Zook*, 585 Pa. at 26, 887 A.2d at 1227. Rather, a court must deem counsel to have been effective so long as the course which counsel chose was not unreasonable in acting to effectuate his or her client's interests. *Id.* Thus, a party must demonstrate that counsel's strategy was “so unreasonable that no competent lawyer would have chosen that course of conduct.” *Commonwealth v. Chmiel*, 585 Pa. 547, 614, 889 A.2d 501, 541 (2005) (citing *Commonwealth v. Williams*, 537 Pa. 1, 29, 640 A.2d 1251, 1265 (1994)).

The third prong of the standard is of greatest significance. The Pennsylvania Supreme Court has consistently held that if the party asserting the claim has not established the prejudice prong, the claim may be dismissed on that basis alone without a determination of whether the party met the first two prongs of the standard. *Chmiel*, 585

Pa. at 613, 889 A.2d at 540; *Commonwealth v. Brown*, 582 Pa. 461, 481, 872 A.2d 1139, 1150 (2005); *Commonwealth v. Travaglia*, 541 Pa. 108, 118, 661 A.2d 352, 357 (1995). This "prejudice inquiry requires consideration of the totality of the evidence." *Commonwealth v. Spatz*, 582 Pa. 207, 228 n.15, 870 A.2d 822, 835 n.15 (2005) (quoting *Strickland*, 466 U.S. at 695, 104 S. Ct. at 2069) (internal quotation marks omitted). Only in the absolute rarest of circumstances, those where counsel completely failed to oppose the prosecution's case, for example, may prejudice be presumed. *Id.* at 227, 870 A.2d at 834 (citing *Florida v. Nixon*, 543 U.S. 175, 179, 125 S. Ct. 551, 555 (2004); *Bell v. Cone*, 535 U.S. 685, 696-97, 122 S. Ct. 1843, 1851 (2002); *United States v. Cronin*, 466 U.S. 648, 659, 104 S. Ct. 2039, 2047 (1984)). The defendant must demonstrate that "there is a reasonable probability that the result of the proceeding would have been different absent [counsel's] error." *Commonwealth v. Lesko*, 609 Pa. 128, 176, 15 A.3d 345, 373 (2011). That is, there must be a "reasonable probability that the outcome of the proceedings would have been different had counsel not been ineffective in the relevant regard – *i.e.*, that the defendant was prejudiced as a result of counsel's act or omission." *Dennis*, 597 Pa. at 175, 950 A.2d at 954 .

"A failure to satisfy any prong of the test for ineffectiveness will require rejection of the claim." *Commonwealth v. Bedell*, 954 A.2d 1209, 1211 (Pa. Super. 2008) (quoting *Commonwealth v. Bryant*, 579 Pa. 119, 136, 855 A.2d 726, 736 (2004)).

As fact finder in a proceeding for post conviction relief that is based on a claim of ineffective assistance of counsel, the credibility of witnesses remains exclusively within the province of the hearing court. *Commonwealth v. Pate*, 421 Pa. Super. 122, 132, 617 A.2d

754, 760 (1992) (citing *Commonwealth v. Moore*, 321 Pa. Super. 442, 450-51, 468 A.2d 791, 795 (1983)). An appellate court, therefore, “must give great weight to the findings of a lower court concerning the credibility of witnesses in a post-conviction proceeding.” *Commonwealth v. Dupert*, 555 Pa. 547, 557, 725 A.2d 750, 755 (1999) (citing *Commonwealth v. Madison*, 501 Pa. 485, 491, 462 A.2d 228, 231 (1983)).

Defendant claims that his attorney was ineffective when she failed to litigate two issues on his direct appeal. The first issue is whether the evidence was sufficient to establish beyond a reasonable doubt that Defendant had the specific intent to kill necessary to sustain his conviction for attempted murder. The second issue is whether the evidence at the suppression hearing was sufficient to establish reasonable suspicion for the investigatory stop of Defendant.

When reviewing a challenge to the sufficiency of the evidence, the court must view the evidence in the light most favorable to the Commonwealth, the verdict winner, together with all reasonable inferences to be drawn therefrom, to determine whether the evidence was sufficient to prove all elements of the crime charged beyond a reasonable doubt. *Commonwealth v. Fisher*, 564 Pa. 505, 515, 769 A.2d 1116, 1122 (2001); *Commonwealth v. Jackson*, 955 A.2d 441, 444 (Pa. Super. 2008) (citing *Commonwealth v. Randall*, 758 A.2d 669, 674 (Pa. Super. 2000)). Circumstantial evidence alone may be sufficient to convict the defendant of a crime. *Commonwealth v. Rivera*, 565 Pa. 289, 295, 773 A.2d 131, 135 (2001). It is for the fact finder to determine the weight to be accorded each witness's testimony and to believe all, part, or none of the evidence introduced at trial. *Randall*, 758 A.2d at 674.

Section 901(a) of the Crimes Code provides “a person commits an attempt when, with intent to commit a specific crime, he does any act which constitutes a substantial step toward the commission of that crime.” 18 Pa. C.S. § 901(a). A person is guilty of attempted murder in the first degree⁸ if he commits an act that is a substantial step toward the commission of the crime with a specific intent to kill. *Commonwealth v. Holley*, 945 A.2d 241, 247 (Pa. Super. 2008). Specific intent may be established through the defendant’s words or acts or through circumstantial evidence, together with reasonable inferences therefrom. *Commonwealth v. Geathers*, 847 A.2d 730, 737 (Pa. Super. 2004). The law permits the fact finder to infer that the defendant intended the natural and probable consequences of his acts. *Commonwealth v. Gease*, 548 Pa. 165, 172, 696 A.2d 130, 133 (1997).

The evidence at trial established that at the time of this incident, between 8:00 and 9:00 p.m. on January 27, 2008, Dawan Hightower was living in an apartment on East Lemon Street in Lancaster, Pennsylvania, with his twin sisters, Zanika and Wanika Hightower and Todd Scott, Wanika’s boyfriend. (N.T. November 13, 2008, at 75-77, 97). Defendant knocked on the apartment door and it was answered by Mr. Scott. (*Id.* at 76, 78, 98). Mr. Scott told Defendant that the person he was looking for, a woman named Olivia, was not at the apartment and closed the door. (*Id.* at 79, 91, 98-99).

Mr. Scott and Wanika Hightower left the apartment, and shortly thereafter Defendant returned and knocked a second time. (*Id.* at 76-77). When Mr. Hightower answered the

⁸There is no crime of attempted second or third degree murder. *Commonwealth v. Geathers*, 847 A.2d 730, 736 (Pa. Super. 2004).

door, Defendant asked for an individual named "Dice" or "Dyson." Mr. Hightower told Defendant that he had the wrong apartment and shut the door. (*Id.*). When Defendant returned a third time and asked for "Dice" or "Dyson," Mr. Hightower told him he had the wrong apartment and not to knock on his door again. (*Id.*). An argument ensued and Mr. Hightower was anticipating a fight with Defendant when Defendant pulled out a handgun. (*Id.* at 78). Mr. Hightower was just able to close the door before Defendant began firing. A number of bullets hit the door and two dented the inside of the door, chest or neck high. (*Id.* at 79-80). No one in the apartment was injured and Defendant fled.

The subsequent police investigation located 12 .22 caliber shell casings and two fragmented bullets outside the door of the apartment. (*Id.* at 180-81). There were seven bullet marks or strikes on the door, six around the door knocker⁹ and one at the bottom of the door. (*Id.* at 182). There were 13 bullet strikes altogether on the door and adjacent wall. (*Id.* at 187). Expert testimony established that the weapon seized from Defendant at the time of his arrest¹⁰ was the one used to fire the shots at Mr. Hightower's apartment. (*Id.* at 147, 217-33).

At the hearing on Defendant's amended motion, appellate counsel testified that she considered raising a challenge to the sufficiency of the evidence with respect to the attempted murder charge, but chose not to do so because, in counsel's opinion, the evidence was sufficient to support the conviction. (N.T. May 2, 2012, at 5-6). Counsel

⁹The door knocker was 53 inches from the floor which the officer who took the measurements placed at mid-chest level. (N.T. November 14, 2008, at 261-62).

¹⁰Police also seized four baggies of crack cocaine and six baggies of marijuana from Defendant when he was taken into custody. (N.T. November 13, 2008, at 147).

considered the evidence in the record and relevant case law including, specifically, *Commonwealth v. Jackson*, 955 A.2d 441 (Pa. Super. 2008). (*Id.* at 6-8). She also noted that neither Defendant's voluntary intoxication nor impossibility would be a defense to the conduct charged. (*Id.*).

Other than disagreeing with his former attorney's conclusion, Defendant has presented nothing to support his claims of ineffective assistance. He has failed to cite any pertinent authority his appellate attorney overlooked or unreasonably disregarded, nor has he shown that her analysis of the legal issues involved was unreasonable or flawed. The record demonstrates that counsel exercised appropriate professional judgment in determining that a challenge to the sufficiency of the evidence to support the conviction for attempted murder lacked merit. Since counsel cannot be deemed ineffective for failing to pursue such a claim, Defendant is not entitled to relief.

Defendant also claims that the evidence was insufficient to establish reasonable suspicion for the investigatory stop by the police. Specifically, he asserts that the police officer's testimony that Defendant matched exactly the description of the shooter was inadequate to provide reasonable suspicion to justify the stop of Defendant.

In reviewing a trial court's denial of a suppression motion, the appellate court is limited to determining whether the findings of fact are supported by the record and whether the legal conclusions drawn from those facts are in error. *Commonwealth v. Stallworth*, 566 Pa. 349, 358, 781 A.2d 110, 115 (2001); *Commonwealth v. Atkinson*, 987 A.2d 743, 752 (Pa. Super. 2009). The appellate court may consider only the evidence of the prosecution and the evidence of the defense that is uncontradicted when viewed in the

context of the record as a whole. *Commonwealth v. Reppert*, 814 A.2d 1196, 1200 (Pa. Super. 2002). If the facts found by the trial court are supported by the record, an appellate court may reverse only if the legal conclusions drawn from the facts are erroneous. *Commonwealth v. Liddie*, 21 A.3d 229, 233 (Pa. Super. 2011).

To warrant an investigative detention, a police officer must have reasonable suspicion, based on specific and articulable facts, that criminality is afoot. *Commonwealth v. Yadir*, 561 Pa. 545, 552, 751 A.2d 1153, 1156 (2000). The issue is whether “the facts available to the officer at the moment of the [intrusion] ‘warrant a man of reasonable caution in the belief’ that the action taken was appropriate.” *Id.* (citations omitted). This determination requires an evaluation of the totality of the circumstances, with a lesser showing needed to demonstrate reasonable suspicion in terms of quantity or content and reliability than to demonstrate probable cause. *Id.* The totality of the circumstances is to be viewed through the eyes of a trained police officer. *Commonwealth v. Roberts*, 771 A.2d 23, 27 (Pa. Super. 2001).

At the suppression hearing, Officer Adam Weber testified that he was on duty the night of the shooting and, with Officer Robert Whiteford, went to Mr. Hightower’s apartment at approximately 8:15 in the evening. (N.T. September 18, 2008, at 10-11). While en route to the scene, the officers were provided a description of the shooter by Lancaster Countywide Dispatch. The description was a black male, approximately 23 years old, wearing a blue ball cap, jean jacket and boots. (*Id.* at 12). An officer who spoke to Mr. Hightower at the scene later provided a supplemented description reflecting that the perpetrator was a black male, 21 to 25 years old, wearing a brown jacket, baggy blue

jeans, brown boots, blue baseball cap with the letter "B" on it and acne or scars on his face. (*Id.* at 14-15).

After obtaining this additional description at the scene, Officers Weber and Whiteford checked the building for the suspect and attempted without success to speak to Mr. Hightower's neighbors before leaving for another call at approximately 8:35 p.m. (*Id.* at 15).

As the officers proceeded to the new call, Officer Whiteford saw an individual who he thought matched the description at a pay telephone at the C&W grocery store in the 100 block of East Walnut Street. (*Id.* at 16). This was about two blocks from the scene of the shooting. (*Id.* at 17-18). Since the officers had passed the individual, they drove around the block and returned to the location. While they were doing so, they confirmed the description on the computer in their patrol car. (*Id.*). Officer Weber saw the individual and testified, "he matched the description that Officer McVey had given out earlier exactly." (*Id.* at 16). He saw no one else in the area who matched the description. (*Id.* at 43).

When Officer Whiteford approached Defendant and told him to put his hands on his head, Defendant fled. (*Id.* at 16-17). Defendant was taken into custody after a brief struggle and a handgun, marijuana and cocaine were found on his person. (*Id.* at 20-23). Mr. Hightower was brought to the location of the stop and identified Defendant. (*Id.* at 49).

Appellate counsel testified that the reason she did not raise the issue of a lack of reasonable suspicion for the stop of Defendant was that the officers had a relatively specific description of the shooter and Officer Weber had testified at the suppression hearing that Defendant matched this description. (N.T. May 2, 2012, at 9-10). Defendant

was located two blocks from the scene of the shooting approximately 15 minutes after it occurred and was detained for about 10 minutes before he was identified by Mr. Hightower. (*Id.* at 10).

Defendant maintains that reasonable suspicion was lacking because Officer Weber did not describe in detail what Defendant was wearing at the time of the stop. This position is frivolous. Officer Weber provided a detailed description of the perpetrator and stated that Defendant exactly matched that description. The Court, as fact finder at the suppression hearing, could reasonably infer that the description Defendant matched exactly was the one recited by Officer Weber moments earlier in his testimony. Defendant has cited no authority, and this Court is aware of none, which would support his contention. Further, Defendant has failed to offer any evidence from any source which might suggest Defendant's appearance at the time in question did not conform to the description given. Had there been any noteworthy discrepancy, it would have been raised by trial counsel.¹¹ Since the issue as framed by Defendant is completely devoid of merit, counsel cannot be deemed ineffective for failing to pursue it.

For the reasons stated, the Court concludes that Defendant has failed to sustain his burden to establish that his attorney was ineffective in failing to pursue on appeal the two issues presented. Accordingly, the Court enters the following:

¹¹Defendant has not alleged that trial counsel was ineffective in any way with respect to her representation of Defendant at the suppression hearing.

IN THE COURT OF COMMON PLEAS OF LANCASTER COUNTY, PENNSYLVANIA
CRIMINAL

COMMONWEALTH OF PENNSYLVANIA :

vs. :

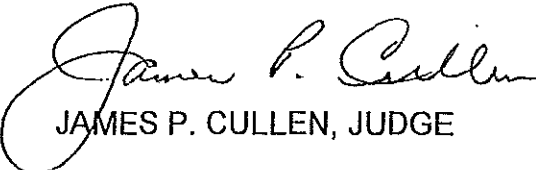
KHILLE BAYLIS :

No. 1161 - 2008

ORDER

AND NOW, this 28th day of September, 2012, Defendant's amended motion for post conviction collateral relief is denied.

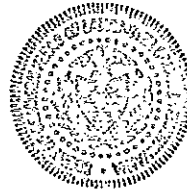
BY THE COURT:

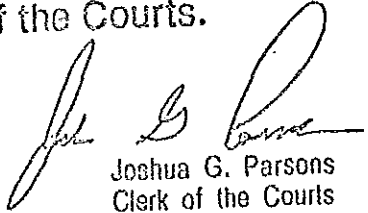

JAMES P. CULLEN, JUDGE

Attest:

Copies to:
Deborah L. Greathouse, Esquire
Vincent J. Quinn, Esquire ✓

I certify this document to be filed
in the Lancaster County Office of
the Clerk of the Courts.




Joshua G. Parsons
Clerk of the Courts