

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

COMMONWEALTH OF PENNSYLVANIA

Appellee

v.

JERMANE EUGENE WRIGHT

Appellant

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

No. 1846 WDA 2013

Appeal from the PCRA Order September 30, 2013  
In the Court of Common Pleas of Allegheny County  
Criminal Division at No(s): CP-02-CR-0014434-2006

BEFORE: GANTMAN, P.J., BENDER, P.J.E., and OTT, J.

JUDGMENT ORDER BY GANTMAN, P.J.:

**FILED JUNE 27, 2014**

Appellant, Jermane Eugene Wright, appeals from the order entered in the Allegheny County Court of Common Pleas, denying as untimely his first petition filed per the Post Conviction Relief Act ("PCRA"), at 42 Pa.C.S.A. §§ 9541-9546. On May 13, 2006, Appellant fled from the police following a traffic stop that may have revealed the illegal contents of Appellant's vehicle. Appellant entered a negotiated guilty plea on January 12, 2009, to persons not to possess a firearm, disarming a law enforcement officer, and other related offenses. That same day, the court sentenced Appellant to four (4) to eight (8) years' imprisonment on the firearms offense and a concurrent sentence of two (2) to four (4) years' imprisonment for disarming an officer. Appellant did not file a direct appeal. On March 19, 2013, Appellant filed a *pro se* PCRA petition. The PCRA court appointed counsel on April 5, 2013,

and counsel filed a **Turner/Finley**<sup>1</sup> “no-merit” letter and a motion to withdraw on August 28, 2013. On September 9, 2013, the PCRA court issued notice of its intent to dismiss Appellant’s petition without a hearing pursuant to Pa.R.Crim.P. 907. Appellant filed a *pro se* response on September 24, 2013, and the PCRA court denied the petition on October 2, 2013. On October 30, 2013, Appellant timely filed a *pro se* notice of appeal, and the PCRA court appointed counsel on December 12, 2013. A review of the record reveals the PCRA court did not order a concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(b), and Appellant filed none.

The timeliness of a PCRA petition is a jurisdictional requisite. **Commonwealth v. Hackett**, 598 Pa. 350, 956 A.2d 978 (2008). “Jurisdictional time limits go to a court’s right or competency to adjudicate a controversy.” **Id.** at 359, 956 A.2d at 983. Under the amended PCRA, effective 1/16/96, a PCRA petition must be filed within one year of the date the underlying judgment becomes final. 42 Pa.C.S.A. § 9545(b)(1). A judgment is deemed final “at the conclusion of direct review, including discretionary review in the Supreme Court of the United States and the Supreme Court of Pennsylvania, or at the expiration of time for seeking review.” 42 Pa.C.S.A. § 9545(b)(3).

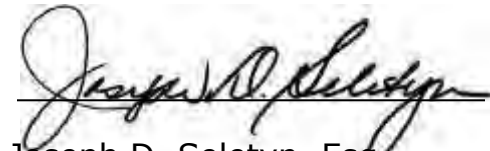
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<sup>1</sup> **Commonwealth v. Turner**, 518 Pa. 491, 544 A.2d 927 (1988) and **Commonwealth v. Finley**, 550 A.2d 213 (Pa.Super. 1988) (*en banc*).

Instantly, Appellant filed his PCRA petition on March 19, 2013, more than four (4) years after his judgment of sentence became final, on or about February 11, 2009. Additionally, Appellant's PCRA petition fails to establish any cognizable exceptions to the PCRA timeliness requirements. **See** 42 Pa.C.S.A. § 9545(b)(1) (providing three exceptions to one-year time limit under PCRA). Thus, the PCRA court properly denied Appellant's petition.

Order affirmed.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn", written over a horizontal line.

Joseph D. Seletyn, Esq.  
Prothonotary

Date: 06/27/2014