

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA

Appellee

v.

ANDREW SAINT LODGE

Appellant

IN THE SUPERIOR COURT OF
PENNSYLVANIA

No. 2014 MDA 2013

Appeal from the PCRA Order entered November 4, 2013
In the Court of Common Pleas of Dauphin County
Criminal Division at No: CP-22-CR-0003084-2008

BEFORE: LAZARUS, STABILE, and MUSMANNNO, JJ.

JUDGMENT ORDER BY STABILE, J.:

FILED NOVEMBER 05, 2014

Appellant, Andrew Saint Lodge, appeals from the November 4, 2013 order of the Court of Common Pleas of Dauphin County dismissing his petition pursuant to the Post Conviction Relief Act (PCRA), 42 Pa.C.S.A. §§ 9541-46. Upon review, we affirm.

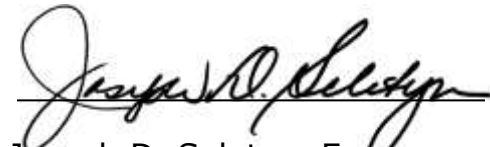
Previously, on September 29, 2014, this panel remanded this matter to the PCRA court for a determination of whether the Appellant received notice of the PCRA court's Pa.R.A.P. 1925(b) order. We observed in that memorandum that the PCRA court did not address Appellant's motion to file a concise statement of errors *nunc pro tunc*. We deemed the remand necessary in order to determine whether the PCRA court was correct in asserting that Appellant waived all of his assertions of error for failure to comply with the PCRA court's Rule 1925(b) order.

In response to that remand, the PCRA court supplemented the certified record with its May 22, 2014 order denying Appellant's motion to file a Rule 1925(b) statement *nunc pro tunc*. In its order, the PCRA court noted that Appellant "failed to establish extraordinary circumstances which warrant such relief." Order, 5/22/14. In addition, on October 9, 2014, Appellant filed a document titled "Formal Notice of Concession." In that document, Appellant concedes he received the PCRA court's Pa.R.A.P. 1925(b) order. Formal Notice of Concession, 10/9/14, at 2.

In light of the PCRA court's May 22, 2014 order and Appellant's subsequent concession, we conclude, as did the PCRA court, that Appellant has waived all of the issues he seeks to raise on appeal. Pa.R.A.P. 1925(b)(4)(vii). We therefore affirm the PCRA court's order.

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: 11/5/2014