

**NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P. 65.37**

COMMONWEALTH OF PENNSYLVANIA,	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellee	:	
	:	
v.	:	
	:	
S.W.,	:	
	:	
Appellant	:	No. 2922 EDA 2013

Appeal from the PCRA Order Entered August 9, 2013  
in the Court of Common Pleas of Delaware County  
Criminal Division at No(s): CP-23-CR-0002904-2003

BEFORE: BENDER, P.J.E., DONOHUE, and STRASSBURGER,\* JJ.

CONCURRING STATEMENT BY STRASSBURGER, J.: **FILED DECEMBER 23, 2014**

I join the Majority Memorandum. I do so only because I am bound by this Court’s opinion in ***Commonwealth v. Henkel***, 90 A.3d 16 (Pa. Super. 2014) (*en banc*), holding that claims of ineffectiveness of PCRA counsel cannot be raised for the first time on appeal. Were I writing on a clean slate, I would adopt the position of P.J.E. Bender in his dissent in ***Henkel***. Bender, P.J.E. joined the concurring statement.

Judge Donohue joined the concurring statement.

\* Retired Senior Judge assigned to the Superior Court.