

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA

Appellee

v.

JEROME TERRY COFFEY

Appellant

IN THE SUPERIOR COURT OF
PENNSYLVANIA

No. 1715 WDA 2015

Appeal from the PCRA Order October 8, 2015
In the Court of Common Pleas of Forest County
Criminal Division at No(s): CP-27-CR-0000067-2011

BEFORE: GANTMAN, P.J., SHOGAN, J., and LAZARUS, J.

JUDGMENT ORDER BY LAZARUS, J.:

FILED APRIL 28, 2016

Jerome Terry Coffey, an inmate at SCI-Houtzdale, appeals from the order of the Court of Common Pleas of Forest County that dismissed his petition filed pursuant to the Post Conviction Relief Act.¹ After careful review, we affirm.

On September 17, 2012, the trial court convicted Coffey of disorderly conduct based on an incident that occurred while he was an inmate at SCI-Forest. The court imposed a fine of \$100.00 plus costs of prosecution. Coffey filed an appeal of his judgment of sentence, which this Court affirmed. ***Commonwealth v. Coffey***, 87 A.3d 873 (Pa. Super. 2013). Coffey then filed a petition for allowance of appeal, which our Supreme Court

¹ 42 Pa.C.S. §§ 9541-9546.

denied on April 14, 2014. **Commonwealth v. Coffey**, 89 A.3d 659 (Pa. 2014).

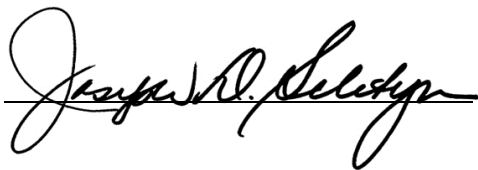
On April 6, 2015, Coffey filed a PCRA petition, which the court dismissed on October 8, 2015. He then filed a timely appeal to this Court.

Section 9543(a)(1)(i) of the PCRA provides that to be eligible for relief, a petitioner must plead and prove by a preponderance of the evidence that he has been convicted of a crime under the laws of this Commonwealth and that at the time relief is granted he is currently serving a sentence of imprisonment, probation or parole for the crime. 42 Pa.C.S. § 9543(a)(1)(i).

Because Coffey is not serving a sentence for the offense of disorderly conduct, he is not eligible for relief under the PCRA. **See Commonwealth v. Fisher**, 703 A.2d 714 (Pa. Super. 1997) (PCRA precludes relief for petitioners whose only sentence is a fine).

Order affirmed.²

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph R. Seligson", is written over a horizontal line.

² On March 23, 2016, Coffey filed a "Motion to Stop Mail Room Supervisor from Opening Legal Mail Outside Petitioner's Presents [sic]." We dismiss the motion for lack of jurisdiction. **See** 42 Pa.C.S. § 741 (original jurisdiction of Superior Court) and 42 Pa.C.S. § 742 (Superior Court jurisdiction over appeals from courts of common pleas).

J-S37035-16

Joseph D. Seletyn, Esq.
Prothonotary

Date: 4/28/2016