

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA,

Appellee

v.

ERIC RIDDICK,

Appellant

IN THE SUPERIOR COURT
OF
PENNSYLVANIA

No. 3480 EDA 2016

Appeal from the PCRA Order Entered October 14, 2016
In the Court of Common Pleas of Philadelphia County
Criminal Division at No(s): CP-51-CR-0141361-1992

BEFORE: BENDER, P.J.E., OTT, J., and FITZGERALD, J.*

CONCURRING STATEMENT BY BENDER, P.J.E.: **FILED DECEMBER 26, 2017**

I join the Majority's memorandum in its entirety. I write separately only to express my utmost displeasure with the Post Conviction Relief Act's failure to facilitate justice in this case, where it is clear to all that it is likely that an innocent man sits behind bars for no better reason than a poorly conceived statute. No system of criminal justice is perfect. However, a system of criminal justice that prevents the correction of obvious errors is easily improved – if only the legislature could see fit to do it.

Justice Fitzgerald joins this concurring statement.

* Former Justice specially assigned to the Superior Court.