

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellee	:	
	:	
v.	:	
	:	
TROY DILLARD,	:	
	:	
Appellant	:	No. 24 EDA 2018

Appeal from the PCRA Order November 30, 2017  
 In the Court of Common Pleas of Bucks County  
 Criminal Division at No(s): CP-09-CR-0003340-2010

BEFORE: GANTMAN, P.J., OLSON, J., and STEVENS\*, P.J.E.

MEMORANDUM BY GANTMAN, P.J.: **FILED AUGUST 21, 2018**

Appellant, Troy Dillard, appeals from the order entered in the Bucks County Court of Common Pleas, which denied his first petition filed pursuant to the Post Conviction Relief Act (“PCRA”).<sup>1</sup> We affirm.

In its opinion, the PCRA court fully and correctly sets forth the relevant facts and procedural history of this case. Therefore, we have no need to restate them.

Appellant raises the following issues for our review:

DID THE PCRA COURT ERR IN NOT FINDING PLEA COUNSEL INEFFECTIVE FOR FAILING TO OBJECT TO AN INADEQUATE *NOLO CONTENDERE* PLEA COLLOQUY?

DID THE PCRA COURT ERR IN NOT FINDING PLEA COUNSEL INEFFECTIVE FOR FAILING TO FILE AN APPEAL ON THE INADEQUATE *NOLO CONTENDERE* PLEA COLLOQUY?

---

<sup>1</sup> 42 Pa.C.S.A. §§ 9541-9546.

---

\* Former Justice specially assigned to the Superior Court.

DID THE PCRA COURT ERR IN NOT FINDING FIRST PCRA COUNSEL INEFFECTIVE FOR NOT RAISING THE INADEQUATE *NOLO CONTENDERE* PLEA COLLOQUY IN THE INITIAL PCRA PETITION[?]

(Appellant's Brief at 4).

Our standard of review of the denial of a PCRA petition is limited to examining whether the evidence of record supports the court's determination and whether its decision is free of legal error. ***Commonwealth v. Conway***, 14 A.3d 101, 109 (Pa.Super. 2011), *appeal denied*, 612 Pa. 687, 29 A.3d 795 (2011). This Court grants great deference to the findings of the PCRA court if the record contains any support for those findings. ***Commonwealth v. Boyd***, 923 A.2d 513, 515 (Pa.Super. 2007), *appeal denied*, 593 Pa. 754, 932 A.2d 74 (2007). We give no such deference, however, to the court's legal conclusions. ***Commonwealth v. Ford***, 44 A.3d 1190, 1194 (Pa.Super. 2012).

After a thorough review of the record, the briefs of the parties, the applicable law, and the well-reasoned opinion of the Honorable Rea B. Boylan, we conclude Appellant's issues merit no relief. The PCRA court's opinion comprehensively discusses and properly disposes of the questions presented. (**See** PCRA Court Opinion, filed February 12, 2018, at 7-13) (finding: Appellant was well aware of nature and consequences of entering *nolo contendere* plea, and entered his plea knowingly, voluntarily, and intelligently; plea counsel's actions did not induce invalid plea; and prior counsel's failure to challenge plea

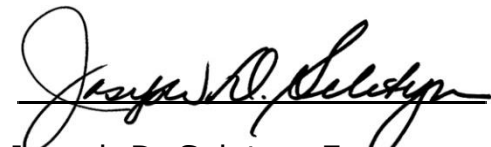
colloquy on appeal does not constitute ineffectiveness of counsel; plea court conducted separate colloquy explaining no contest plea; in response to all questions posed, Appellant stated he understood, and explained he was not under the influence of any substances; Appellant affirmed he understood plea court's explanation of charges, permissible ranges of sentences, and Appellant's rights; Appellant acknowledged he and plea counsel had discussed meaning of *nolo contendere* plea at "great length"; Appellant thrice affirmed he was satisfied with plea counsel's familiarity with case, and he understood nature and consequences of no contest plea; Appellant actively participated in plea proceedings; Appellant's plea was valid). The record supports the PCRA court's reasoning. **See Conway, supra**. Accordingly, we affirm on the basis of the PCRA court opinion.

Order affirmed.

President Judge Emeritus Stevens joins this memorandum.

Judge Olson concurs in the result.

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: 8/21/18