

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA

Appellee

v.

ATIBA WICKER

Appellant

IN THE SUPERIOR COURT
OF PENNSYLVANIA

No. 2244 EDA 2018

Appeal from the PCRA Order Entered July 10, 2018
In the Court of Common Pleas of Philadelphia County
Criminal Division at Nos: CP-51-CR-0002843-2012;
CP-51-CR-0002844-2012;
CP-51-CR-0002845-2012

BEFORE: OLSON, STABILE, and STRASSBURGER,* JJ.

JUDGMENT ORDER BY STABILE, J.:

FILED SEPTEMBER 24, 2019

Appellant, Atiba Wicker, appeals from the July 10, 2018 order dismissing his petition pursuant to the Post Conviction Relief Act ("PCRA"), 42 Pa.C.S.A. §§ 9541-9546. We quash.

The record reveals that on November 15, 2011, Appellant was arrested and charged with aggravated assault and related offenses on three separate bills of information for three separate victims. On December 18, 2013, the trial court imposed an aggregate 31 to 72 years of incarceration. This Court affirmed the judgment of sentence on August 13, 2015. The Pennsylvania Supreme Court denied allowance of appeal on February 1, 2016. Appellant

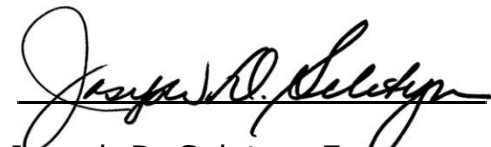
* Retired Senior Judge assigned to the Superior Court.

filed a timely first *pro se* PCRA petition on December 13, 2016. Appointed counsel filed an amended petition on August 11, 2017. The PCRA court conducted several hearings, and eventually denied relief on July 10, 2018. This timely appeal followed.

As noted, this case proceeded against Appellant at three separate dockets. Appellant, however, has filed a single notice of appeal. In ***Commonwealth v. Walker***, 185 A.3d 969, 977 (Pa. 2018), our Supreme Court held, prospectively, that “when a single order resolves issues arising on more than one lower court docket, separate notices of appeal must be filed.” Failure to comply requires quashal of the appeal. ***Id.*** This Court has applied ***Walker*** to cases pending on collateral review. ***Commonwealth v. Nichols***, 208 A.3d 1087 (Pa. Super. 2019). ***Walker***, decided on June 1, 2018, predated the appeal in this case. We are therefore constrained to quash this appeal.

Appeal quashed.

Judgment Entered.

A handwritten signature in black ink, reading "Joseph D. Seletyn", written over a horizontal line.

Joseph D. Seletyn, Esq.
Prothonotary

Date: 9/24/19