



not apparent from the record, activity resumed on April 6, 2017, when the PCRA court appointed Trevan Borum, Esquire, as Alkhatib's PCRA counsel. On November 16, 2017, Mr. Borum determined the PCRA court lacked jurisdiction over Alkhatib's petition, and sought to withdraw. On January 3, 2018, Judge Glazer granted Mr. Borum's request and dismissed Alkhatib's petition as frivolous, as Alkhatib is not currently serving a sentence of imprisonment for his robbery or criminal conspiracy convictions. Pa.R.A.P. 1925(a) Opinion, 1/3/18, at 2. The instant appeal followed.

Though Alkhatib remains incarcerated pursuant to a life sentence from an unrelated case,<sup>1</sup> he finished serving the sentence for the crimes at issue on March 22, 2015; consequently, he is ineligible for collateral relief. **See** 42 Pa.C.S.A. § 9543(a)(1)(i) (requiring, *inter alia*, proof that petitioner is "currently serving a sentence of imprisonment, probation or parole for the crime"); **see also Commonwealth v. Plunkett**, 151 A.3d 1108 (Pa. Super. 2016) ("the denial of relief to a petitioner who [is] no longer serving a sentence, even though the PCRA process had begun in a timely fashion, [is] not constitutionally infirm."); **see also Commonwealth v. Stultz**, 114 A.3d 865, 872 (Pa. Super. 2015) (finding *pro se* petitioner ineligible for relief on completed sentence, though still incarcerated on additional convictions).

Order affirmed.

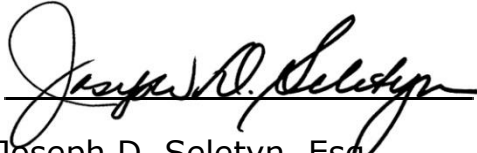
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<sup>1</sup> Alkhatib is not, in the instant petition, requesting collateral relief related to his conviction for murder in the first degree on docket number CP-51-CR-0203461-2005.

Judge Olson joins this Memorandum.

Judge Strassburger files a Concurring Memorandum in which Judge Lazarus joins.

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: 2/6/19