

**NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P. 65.37**

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
DAVID E. LOGAN	:	
	:	
Appellant	:	No. 178 WDA 2019

Appeal from the Judgment of Sentence Entered January 2, 2019  
In the Court of Common Pleas of Greene County Criminal Division at  
No(s): CP-30-CR-0000028-2018

BEFORE: BENDER, P.J.E., KUNSELMAN, J., and PELLEGRINI, J.\*

JUDGMENT ORDER PER CURIAM: **FILED FEBRUARY 7, 2020**

Appellant, David E. Logan, appeals from the judgment of sentence of 11-23 months’ incarceration, followed by one year of probation, and restitution in the amount of \$14,779, imposed following his conviction for identity theft and forgery. After careful review, we remand for the trial court to file a more responsive Pa.R.A.P. 1925(a) opinion.

Appellant filed a timely Rule 1925(b) statement with the trial court on March 5, 2019 (hereinafter “Concise Statement”). The trial court subsequently filed a “Statement Pursuant to Pa.R.A.P. 1925[(a)]” on April 3, 2019 (hereinafter “Rule 1925(a) Statement”). In its Rule 1925(a) Statement, the trial court failed to provide a summary of the facts adduced at Appellant’s jury trial, and it only provided a scant summary of the procedural history of

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\* Retired Senior Judge assigned to the Superior Court.

this case. Furthermore, while the court briefly addressed matters concerning the fourth and fifth claims raised by Appellant in the Concise Statement (regarding restitution and after-discovered evidence), it omitted any discussion of the first three issues (issues one and two concerning the sufficiency of the evidence, and issue three concerning the court's failure to grant a mistrial based on alleged prosecutorial misconduct). Moreover, the court's discussion of Appellant's after-discovered evidence is simply inadequate for purposes of our review.

Accordingly, we hereby remand for the trial court to file, within 30 days from the date of this judgment order, a Rule 1925(a) opinion that is responsive to each issue raised in Appellant's Concise Statement, and that provides an adequate summary of the facts adduced at trial and the procedural history of this case.

Case **remanded** for the filing of a Rule 1925(a) opinion consistent with this Judgment Order within 30 days. Jurisdiction **retained**.