

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA

Appellee

v.

RONNIE ARNETTE BAKER

Appellant

IN THE SUPERIOR COURT OF
PENNSYLVANIA

No. 344 MDA 2013

Appeal from the Judgment of Sentence November 21, 2012
In the Court of Common Pleas of Franklin County
Criminal Division at No(s): CP-28-CR-0001860-2010

BEFORE: PANELLA, J., MUNDY, J., and PLATT, J.*

JUDGMENT ORDER BY PANELLA, J.

FILED JANUARY 08, 2014

Appellant, Ronnie Arnette Baker, appeals from the judgment of sentence entered on November 21, 2012, in the Court of Common Pleas of Franklin County. We affirm.

We assume the parties' familiarity with the facts and procedural history of this appeal.

In this appeal, Baker purports to challenge the discretionary aspects of his sentence. In his Rule 2119(f) statement, he maintains, "there is a substantial question as to the appropriateness of his sentence as he was sentenced to not less than 16 months and no more than 84 months SCI [sic], when the standard guideline range was 12 to 18 months." Appellant's

* Retired Senior Judge assigned to the Superior Court.

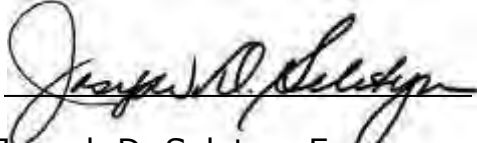
Brief, at 10. This does not raise a substantial question for our review. **See Commonwealth v. Mouzon**, 812 A.2d 617, 627 (Pa. 2002) (noting that in the Rule 2119(f) statement, an appellant must articulate “the manner in which the sentence violates either a specific provision of the sentencing scheme set forth in the Sentencing Code or a particular fundamental norm underlying the sentencing process.”). Baker’s statement does not meet either provision.

In any event, throughout his two-page brief, Baker argues that he was entitled to a standard range sentence. We have good news for Baker: he received a standard range sentence. The standard range was 12 to 18 months. Baker received a 16-month minimum sentence, which is well within the standard range of the guidelines. **See, e.g., Commonwealth v. Boyer**, 856 A.2d 149, 153 (Pa. Super. 2004) (“[T]he sentencing guidelines provide for minimum and not maximum sentences.”).¹

Judgment of sentence affirmed. Jurisdiction relinquished.

¹ “Pennsylvania utilizes an indeterminate sentencing scheme with presumptive guidelines which limit the judge’s discretion only concerning the *minimum* sentence.” **Commonwealth v. Smith**, 863 A.2d 1172, 1178 (Pa. Super. 2004) (emphasis added) (citations omitted). In other words, as the presumptive guidelines *affect only the minimum sentence*, the sentencing judge is free to exercise his or her discretion to impose a sentence up to the statutory maximum provided for the offense. **See, e.g., Commonwealth v. Saranchak**, 675 A.2d 268, 277 n.17 (Pa. 1996) (“It is well-established that a sentencing court can impose a sentence that is the maximum period authorized by the statute.”)

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: 1/8/2014