

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

COMMONWEALTH OF PENNSYLVANIA,

Appellee

v.

MICHAEL VINCENT MCKAY,

Appellant

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

No. 834 WDA 2012

Appeal from the PCRA Order of May 16, 2012,  
in the Court of Common Pleas of Somerset County,  
Criminal Division, at No. CP-56-CR-0000646-2008

BEFORE: SHOGAN, OTT and COLVILLE\*, JJ.

MEMORANDUM BY COLVILLE, J.:

Filed: January 31, 2013

This is a *pro se*<sup>1</sup> appeal from the order dismissing Appellant's petition filed pursuant to the Post Conviction Relief Act. We dismiss the appeal.

Pennsylvania Rule of Appellate Procedure 2101 dictates that appellate briefs must conform, in all material respects, to the requirements of the Rules of Appellate Procedure. Pa.R.A.P. 2101. This rule also states that "if the defects are in the brief or reproduced record of the appellant and are substantial, the appeal or other matter may be quashed or dismissed." *Id.* Appellant's *pro se* appellate brief does not conform to the Rules of Appellate

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\* Retired Senior Judge assigned to the Superior Court.

<sup>1</sup> Counsel appointed for Appellant at the PCRA stage was permitted to withdraw pursuant to *Commonwealth v. Turner*, 544 A.2d 927 (Pa. 1988), and *Commonwealth v. Finley*, 550 A.2d 213 (Pa. Super. 1988).

Procedure in any meaningful way. The defects in Appellant's brief are substantial; consequently, we exercise our discretion to dismiss the appeal.

Appeal dismissed. Appellant's Petition to Expedite denied.

Ott, J. Concur in the Result.