

**NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P 65.37**

COMMONWEALTH OF PENNSYLVANIA,	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellee	:	
	:	
v.	:	
	:	
EDWARD ROBINSON,	:	
	:	
Appellant	:	No. 873 WDA 2012

Appeal from the PCRA Order May 16, 2012,  
Court of Common Pleas, Allegheny County,  
Criminal Division at No. CP-02-CR-0000731-2003

BEFORE: DONOHUE, MUNDY and PLATT\*, JJ.

JUDGMENT ORDER BY DONOHUE, J.:

Filed: March 5, 2013

Edward Robinson (“Robinson”) appeals from the order of court dismissing his petition filed pursuant to the Post Conviction Relief Act, 42 Pa.C.S.A. §§ 9541-9546 (“PCRA”). In January 2004, Robinson pled guilty to indecent assault and sexual assault.<sup>1</sup> He was sentenced to time served and paroled immediately. Following an unsuccessful direct appeal, Robinson took no further action until he filed the PCRA petition at issue in this appeal on March 15, 2012. The PCRA court dismissed this petition upon finding that Robinson was not entitled to relief because he was no longer serving the sentence imposed for these convictions. PCRA Court Opinion, 7/24/12, at 2.

To be entitled to relief under the PCRA, a petitioner must establish, *inter alia*, that he or she “has been convicted of a crime under the laws of

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<sup>1</sup> 18 Pa.C.S.A. §§ 3126, 3124.1.

\*Retired Senior Judge assigned to the Superior Court.

this Commonwealth and is at the time relief is granted[] currently serving a sentence of imprisonment, probation or parole for the crime.” 42 Pa.C.S.A. § 9543(a)(1)(i). Robinson concedes that at the time he filed his PCRA petition, he was no longer serving the sentence at issue. Appellant’s Brief at 11 n.2. Accordingly, Robinson is not entitled to PCRA relief. We therefore affirm the trial court’s decision.

Order affirmed.