

**IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 835 M.D. Alloc. Dkt. 1999
DEPARTMENT OF LABOR AND	:	
INDUSTRY,	:	Petition for Allowance of Appeal from the
Petitioner	:	Order of the Commonwealth Court
	:	
v.	:	
	:	
	:	
ROBERT L. SIMMONS,	:	
Respondent	:	

ORDER

PER CURIAM

DECIDED: April 12, 2000

AND NOW, this 12th day of April, 2000, the Petition for Allowance of Appeal is **GRANTED**. Notwithstanding that the May 6, 1999, order disposed only of the stay motions, and did not dispose of the underlying appeal itself, which was not before the motions judge, the Commonwealth Court erroneously treated the order as having disposed of the appeal, deeming it to have been quashed. Accordingly, this matter is **REMANDED** to the Commonwealth Court for reinstatement of Appellant's appeal.