

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 107 WAL 2007
	:	
Respondent	:	Petition for Allowance of Appeal from the
	:	Order of the Superior Court entered
	:	November 22, 2006, at No. 1094 WDA
v.	:	2005, affirming the Order of the Court of
	:	Common Pleas of Allegheny County,
	:	entered May 23, 2005 at Nos. CP-02-CR-
DAVON RENEE HAYES, A/K/A DEVON	:	0001018-2004 & CP-02-CR-0014894-
RENEE HAYES,	:	2003.
	:	
Petitioner	:	

**ORDER**

**PER CURIAM:**

**AND NOW**, this 10<sup>th</sup> day of July 2007, the Petition for Allowance of Appeal is GRANTED in part. The Order of the Superior Court is VACATED and the matter is REMANDED for the court to consider the claim, which was raised in his brief below, but not addressed by the panel, of whether petitioner's confession should be suppressed because his waiver of rights under Miranda v. Arizona, 384 U.S. 436, 86 S.Ct. 1602 (1966), was not knowing and voluntary.