

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

BERNARD BANKS,	:	No. 366 MAL 2016
	:	
Respondent	:	
	:	
v.	:	Petition for Allowance of Appeal from
	:	the <b>Published Opinion and Order</b> of
	:	the Commonwealth Court at No. 1452
	:	CD 2015, at 136 A.3d 1102 (Pa.
	:	Cmwth. 2016) entered on April 27,
PENNSYLVANIA BOARD OF	:	2016, <b>vacating and remanding</b> the
PROBATION AND PAROLE,	:	Decision of the Board of Probation &
	:	Parole at Nos. Inmate No. HM0360 and
Petitioner	:	Parole No. 612EM entered on July 14,
	:	2015

**ORDER**

**PER CURIAM**

**DECIDED: November 29, 2017**

**AND NOW**, this 29<sup>th</sup> day of November, 2017, the Petition for Allowance of Appeal is **GRANTED**, the order of the Commonwealth Court, No. 1452 CD 2015, 136 A.3d 1102, filed April 27, 2016, is **VACATED**, and the case is **REMANDED** to the Commonwealth Court for further proceedings in light of *Smith v. Pa Board of Probation and Parole*, 2017 WL 4655306 (Pa. Oct. 18, 2017).