

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 419 WAL 2016
	:	
Respondent	:	
	:	Petition for Allowance of Appeal from
v.	:	the Order of the Superior Court
	:	
	:	
DAREL BARBOUR,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 4th day of April, 2017, the Petition for Allowance of Appeal is **GRANTED**. The issue, as stated by petitioner, is:

Did the Superior Court err in creating a new waiver [] provision for [Pa.R.Crim.P.] 600 by holding that a defendant who fails to appear for an untimely trial can still waive his rights under the rule, in direct contradiction to this Court's jurisprudence?

Additionally, the parties are directed to address the viability and applicability of the waiver theory articulated in Judge Bowes' concurring memorandum, particularly in light of the text of Rule 600.

Justice Mundy did not participate in the consideration or decision of this matter.