

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 472 WAL 2016
	:	
Respondent	:	
	:	
v.	:	Petition for Allowance of Appeal from
	:	the <b>Unpublished Memorandum and</b>
	:	<b>Order</b> of the Superior Court at No. 1758
	:	WDA 2015 entered on October 17,
	:	2016, <b>affirming</b> the Judgment of
ANGELA MARINUCCI,	:	Sentence of the Westmoreland County
	:	Court of Common Pleas at No. CP-65-
Petitioner	:	CR-0000850-2010 entered on July 1,
	:	2015

**ORDER**

**PER CURIAM**

**AND NOW**, this 24<sup>th</sup> day of August, 2017, the Petition for Allowance of Appeal is **GRANTED**, the order of the Superior Court is **VACATED**, and the case is **REMANDED** for reconsideration in light of *Commonwealth v. Batts*, \_\_\_ A.3d \_\_\_, 2017 WL 2735411 (Pa. June 26, 2017), **LIMITED TO** the question of whether the instant judgment of sentence is unconstitutional under the Eighth Amendment, and therefore an illegal sentence. Allowance of appeal is **DENIED** in all other respects.