IN THE SUPREME COURT OF PENNSYLVANIA WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	: No. 207 WAL 2020
Respondent v.	 Petition for Allowance of Appeal from the Order of the Superior Court
DUWAYNE A. DIXON, JR.,	:
Petitioner	

<u>ORDER</u>

PER CURIAM

AND NOW, this 23rd day of December, 2020, the Petition for Allowance of Appeal

is **GRANTED**. The issue, as stated by petitioner, is:

Did the Superior Court err in ruling that the [PCRA court] correctly ruled that the original trial court's jury instruction at Count IV (Intimidation of Witness or Victim) was legally proper, despite (1) the trial court instructing the jury to find, as a matter of law, what the grading of the prior or underlying offense is, which in turn set the grading of the Intimidation of Witness or Victim charge; (2) by failing to include a place on the verdict form for the jury to indicate that it found that the prior or underlying crime was a felony of the first degree, and/or (3) by failing to include a place for the jury to indicate that it found the grading elements of subsection (b)(1)(i) or (b)(1)(iii)?