

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 195 MAL 2022
	:	
Respondent	:	
	:	Petition for Allowance of Appeal
	:	from the Order of the Superior Court
v.	:	
	:	
	:	
PHILLIP DONALD WALTERS,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 18th day of October, 2022, the Petition for Allowance of Appeal is **GRANTED, LIMITED TO** the issue set forth below. Allocatur is **DENIED** as to the remaining issue. The issue, as stated by petitioner, is:

Whether the Superior Court misapplied controlling case law and misapprehended controlling facts in concluding that the trial court did not err as a matter of law or abuse its discretion in allowing the Commonwealth to present the testimony of Dr. Gary Ross concerning the cause of death “by history[,]” which was devoid of any objective medical findings and did not comport with a conclusion or opinion “within a reasonable degree of medical certainty” thereby not only improperly bolstering the credibility of Gabel Bell but depriving Petitioner of his right to due process and a fair trial?