

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

COMMONWEALTH OF PENNSYLVANIA	:	No. 77 MM 2022
	:	
	:	
v.	:	
	:	
	:	
JOHNNY J. MILLER	:	
	:	
	:	
PETITION OF: SPENCER H.C. BRADLEY,	:	
ESQUIRE	:	

ORDER

PER CURIAM

AND NOW, this 4th day of November, 2022, in consideration of the Application to Withdraw as Counsel, this matter is REMANDED to the Court of Common Pleas of Dauphin County for that court to determine whether to grant Attorney Spencer H.C. Bradley leave to withdraw.

Criminal defense counsel’s duty of representation continues until a court permits the attorney to withdraw. See Pa.R.Crim.P. 120(B)(1) (stating that an attorney for a criminal “defendant may not withdraw his or her appearance except by leave of court”). Absent judicial permission to withdraw, the attorney’s duty continues through review in this Court. See Pa.R.Crim.P. 122(B)(2) and Comment (specifying that the duty of representation continues through review in this Court).

In the event the Court of Common Pleas of Dauphin County court permits Attorney Bradley to withdraw, the court is to resolve any other related questions, including whether to appoint counsel to represent Johnny J. Miller on allocatur review.

The Court of Common Pleas of Dauphin County is DIRECTED to enter its order on remand within 90 days and to inform this Court promptly of its determination.