

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

JASON DAVID SCHMIDT,	:	No. 23 MAP 2000
	:	
Appellee	:	Direct appeal from the order of the Court
	:	of Common Pleas of Chester County, Civil
v.	:	Division, at No. 99-08272, entered
	:	October 28, 1999.
	:	
COMMONWEALTH OF PENNSYLVANIA,	:	
DEPARTMENT OF TRANSPORTATION,	:	
BUREAU OF DRIVER LICENSING,	:	
	:	
Appellant	:	
	:	
	:	

CONCURRING STATEMENT

MR. JUSTICE CAPPY

FILED: June 20, 2001

The reasons the court of common pleas gave in its memorandum opinion in support of its decision to sustain appellee's statutory appeal from the suspension of his operating privileges are identical to the reasons the court gave in its memorandum opinion in Crooks v. Commonwealth, Dep't. of Transp., 768 A.2d 1106 (Pa. 2001). I, therefore, join the per curiam reversal of the trial court's order rescinding the suspension for the reasons set forth more fully in my concurring and dissenting opinion in Crooks.