

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 35 EAL 2010
	:	
Respondent	:	
	:	
v.	:	Petition for Allowance of Appeal from the
	:	<b>Unpublished Memorandum and Order</b>
	:	of the Superior Court at No. 2455 EDA
	:	2005 filed December 22, 2009, <b>affirming</b>
	:	the Judgment of Sentence of the
NICHOLAS COIA,	:	Philadelphia County Court of Common
	:	Pleas at No. CP-51-CR-0613893-2003
Petitioner	:	filed May 6, 2005

**ORDER**

**PER CURIAM**

**AND NOW**, this 28th day of August, 2013, the Petition for Allowance of Appeal is **GRANTED, LIMITED TO** Petitioner's constitutional sentencing claim. Further, the Superior Court's decision affirming the imposition of a sentence of mandatory life imprisonment without the possibility of parole is **VACATED**, and the matter is **REMANDED** to the Superior Court to remand to the Philadelphia County Court of Common Pleas for a new sentencing hearing pursuant to Commonwealth v. Batts, \_\_\_ A.3d \_\_\_, 2013 WL 1200252 (Pa. filed March 26, 2013).

Jurisdiction relinquished.