



by a represented appellant is for this Court to refer the pleading to counsel and to take no other action on the issues in the *pro se* pleading unless counsel forwards us a motion or other document relating to the *pro se* issues.” Super. Ct. slip op., dated 7/20/2012, at 5.

The court found that its earlier determinations were in concert with the Jette procedure. Upon review of the Commonwealth’s current petition for allowance of appeal, and respondent’s response, we conclude that those determinations do not comport with Jette. The Superior Court’s November 20, 2008 and April 7, 2009 decisions did not exercise the judicial restraint dictated by Jette. Rather than simply forwarding the *pro se* filings as Jette would dictate, the Superior Court took the additional Battle step of ordering counsel to submit a petition for remands, which the court then evaluated. When that court-ordered response by counsel was deemed insufficient, the Superior Court took the further step of ordering counsel to submit yet another petition for remand. Upon evaluating the new petition, the court remanded both for an evidentiary hearing and to appoint new counsel. Those directives did not comport with our Jette directive that, following the forwarding of *pro se* filings to counsel, the court is to take no other action unless counsel forwards a motion. The remand petitions forwarded by counsel here were required by the Superior Court, employed the since-disapproved procedure in Battle.

Accordingly, the Superior Court is once again directed to examine this matter in light of Jette. The lower court is specifically directed to note Jette’s exhortation that “[g]iven our primary holding rejecting the Battle procedure, all that remains to be decided is the issue that [the defendant’s] original PCRA counsel actually forwarded.” Id. at 1045.

Jurisdiction relinquished.

