

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 45 WAP 2005
	:	
Appellant	:	
	:	
v.	:	Appeal from the Order of the Court of
	:	Common Pleas of Allegheny County
	:	entered October 3, 2005 at No. CP-02-
	:	CR-0006908-2004.
	:	
LUCAS MARTIN HOBBS,	:	
	:	
Appellee	:	

ORDER

PER CURIAM

AND NOW, this 21st day of November, 2007, the order of the Allegheny County Court of Common Pleas is reversed insofar as it declared Section 3802 of the Vehicle Code, 75 Pa.C.S. §3802, unconstitutional, and the case is remanded for further proceedings. See Commonwealth v. Duda, 923 A.2d 1138 (Pa. 2007); Commonwealth v. Finchio, 926 A.2d 968 (Pa. 2007). The Commonwealth's petition for an immediate remand is dismissed as moot.