

[J-98-2013][M.O. – Baer, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 516 CAP
	:	
Appellee	:	Appeal from the Judgment of Sentence
	:	entered on 2/22/2000 in the Court of
v.	:	Common Pleas, Philadelphia County,
	:	Criminal Division at No.
	:	CP-51-CR-0812071-1998
	:	
	:	
LANCE ARRINGTON,	:	
	:	ARGUED: March 10, 2010
Appellant	:	SUBMITTED: November 4, 2013

DISSENTING OPINION

MR. JUSTICE SAYLOR

DECIDED: February 28, 2014

The majority posits that the panoply of other-bad-acts evidence presented by the Commonwealth was not introduced to establish Appellant's propensity for violence, but rather, was offered to establish his identity as the killer. See Majority Opinion, slip op. at 13. However, as the decisional law gravitates further and further away from the centering ground of signature crimes, see 1 MCCORMICK, EVIDENCE § 190 (4th ed.1992), the identity/propensity distinction devolves to a matter of semantics. It may well be, as the majority appears to suggest, that Appellant's past violent conduct directed toward women was a key aspect of the prosecution. See Majority Opinion, slip op. at 14-15. Nevertheless, upon review of this record, I am unable to support the majority's conclusion that the Commonwealth's case against Appellant was not, in material part, character and propensity based.