

**[J-138-2002]**  
**IN THE SUPREME COURT OF PENNSYLVANIA**  
**EASTERN DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 292 CAP
	:	
Appellee	:	Appeal from the judgment of sentence
	:	entered December 23, 1999 in the Court
v.	:	of Common Pleas, Philadelphia County,
	:	Criminal Division, at No. 9809-238 2/2.
	:	
	:	
KENNETH MILLER,	:	
	:	RESUBMITTED: June 19, 2002
Appellant	:	

**DISSENTING OPINION**

**MR. CHIEF JUSTICE ZAPPALA**

**DECIDED: September 5, 2002**

I join Justice Nigro's dissenting opinion that the Appellant is entitled to a new trial because the prosecution improperly bolstered and vouched for the credibility of Blakeney. I also join Justice Saylor's concurring and dissenting opinion as it relates to the remaining issues.