

[J-139-2002]
IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 331 CAP
	:	
Appellee	:	
	:	Appeal from the Order entered in the
v.	:	Court of Common Pleas, Criminal
	:	Division, Philadelphia County, on 1/8/01
	:	denying PCRA relief at No. 2809 January
	:	term 1991
RONALD GIBSON,	:	
	:	
Appellant	:	

ORDER

PER CURIAM:

AND NOW, this 2nd day of December, 2005, this matter is remanded for evidentiary development and findings and conclusions, limited to the claim of ineffectiveness assistance of counsel on direct appeal associated with Claim No. III raised in Appellant's brief in this Court (styled as "The PCRA court erred in concluding that trial counsel's failure to investigate and present evidence of Appellant's severe intoxication at the time of the murders, history of drug and alcohol abuse, and of his dysfunctional family life did not constitute ineffective assistance where trial counsel[] candidly admitted that he undertook absolutely no investigation into potential penalty phase defenses"). In its opinion containing the factual findings and conclusions of law, the PCRA court is directed to address all aspects of the layered ineffectiveness claim, including the underlying claim of ineffective assistance of trial counsel.

Supplemental briefing in this Court is authorized, with Appellant's brief (if any) being due within 30 days after due notice to counsel following the docketing of the

PCRA court's opinion, and any supplemental briefing by the Commonwealth's being due within 15 days thereafter.

Jurisdiction is retained.

Mr. Chief Justice Cappy and Mr. Justice Baer are with the per curiam remand order.

Mr. Justice Nigro files a concurring and dissenting statement.

Mr. Justice Eakin files a dissenting statement in which Mr. Justice Castille and Madame Justice Newman join.