

[J-175-2001][M.O. - Eakin, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

WALTER WINKLESPECHT,	:	No. 57 MM 2001
	:	
Petitioner	:	Application for Writ of Habeas Corpus
	:	
v.	:	
	:	SUBMITTED: November 20, 2001
	:	
PENNSYLVANIA BOARD OF	:	
PROBATION AND PAROLE,	:	
	:	
Respondent	:	
	:	

CONCURRING OPINION

MR. JUSTICE CAPPY

DECIDED: DECEMBER 31, 2002

I concur in the result. I agree with Mr. Justice Saylor that the appropriate avenue of relief is a writ of mandamus, and I would dismiss the petition on that basis, without reaching the merits of the underlying issue.