

[J-1A&B-2008]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	Nos. 14 & 15 WAP 2007
	:	
Appellee	:	Appeal from the Order of the Superior
	:	Court entered October 24, 2006 at No.
v.	:	1828 WDA 2005, affirming the Judgment
	:	of Sentence of the Court of Common
STACY SUE HERSHBERGER,	:	Pleas of Bedford County, entered August
	:	24, 2005 at CP-05-CR-0000019-2005.
Appellant	:	

ORDER

PER CURIAM

AND NOW, this 8th day of May, 2008, the Order of the Superior Court is **VACATED** and the matter is **REMANDED** to the Superior Court with the direction to **REMAND** to the Court of Common Pleas of Bedford County for evidentiary hearings, if necessary, to determine the responsibility for the absence of transcripts from the record certified for appeal. If it is determined that the absence is attributable to the failure of Appellant to comply with the Rules of Appellate Procedure, the October 24, 2006 order of the Superior Court shall be reinstated. If it is determined that the absence is attributable to court personnel, the Superior Court shall resolve on the merits the issues raised in the appeal, which were previously treated as waived. See Commonwealth v. Barge, 743 A.2d 429 (Pa. 1999). Jurisdiction relinquished.

Mr. Justice McCaffery did not participate in the consideration or decision of this matter.