## [J-234-2003] IN THE SUPREME COURT OF PENNSYLVANIA WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,: 93 WAP 2002

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Appellant

Appeal from the Order of the Court ofCommon Pleas of Mercer County dated

v. : November 21, 2002, at 1407 Criminal

2002.

RICHARD LEE EVANS, : Submitted: November 7, 2003

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Appellee

## <u>ORDER</u>

PER CURIAM: DECIDED: DECEMBER 16, 2003

**AND NOW**, this 16<sup>th</sup> day of December, 2003, the Order of the Court of Common Pleas of Mercer County is AFFIRMED. See Commonwealth v. Mockaitis, 2003 WL 22358576 (Pa. Oct. 16, 2003).