

[J-43-1999]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	64 W.D. Appeal Dkt. 1998
	:	
Appellee	:	Appeal from the Order of the Superior
	:	Court at No. 1096PGH97 on April 30,
	:	1998, affirming the Order of the Court of
v.	:	Common Pleas of Westmoreland County,
	:	Criminal Division, at Nos. 387OC & 3871C
	:	1995 on March 27, 1997.
RANDOLPH W. WRIGHT,	:	
	:	
Appellant	:	
	:	ARGUED: March 9, 1999
	:	

MR. JUSTICE NIGRO

DECIDED: DECEMBER 23, 1999

CONCURRING AND DISSENTING OPINION

I fully agree with the majority's analysis regarding the constitutionality of the search at issue in this case. However, I am compelled to dissent as I believe the admission of the gun, obtained during the unconstitutional search of Appellant's home, was harmless error given the overwhelming evidence of Appellant's guilt.