## [J-41-1998]

## IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA,: No. 123 M.D. Appeal Dkt. 1997

Appellee,

٧.

Appeal from the order of the Superior Court dated 11/22/96 affirming the Court

: of Common Pleas of Clinton County dated

04/29/96 at No. 4-96

BARRY EUGENE TAYLOR, JR., Appellant.

SUBMITTED: February 5, 1998

**ORDER** 

PER CURIAM: DECIDED: AUGUST 4, 1999

The appeal is dismissed as having been improvidently granted.

Mr. Justice Zappala files a concurring statement which is joined by Mr. Justice Cappy.