IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 590 MAL 2019
	:	
Petitioner	:	
	:	Petition for Allowance of Appeal
	:	from the Order of the Superior Court
v.	:	
	:	
	:	
ANTHONY SHAW,	:	
	:	
Respondent	:	

ORDER

PER CURIAM

AND NOW, this 24th day of March, 2020, the Petition for Allowance of Appeal is **GRANTED**. The issues, as stated by petitioner, are:

A. Did the Superior Court improperly disregard the Rules of Appellate Procedure when it considered and decided the issue of whether PCRA/appellate counsel was ineffective?

1. Did the Superior Court improperly disregard Pa.R.A.P. 302 when it addressed and decided the issue of PCRA/appellate counsel's alleged ineffectiveness even though that issue was raised for the first time on appeal?

2. Did the Superior Court improperly disregard Pa.R.A.P. 1925(b)(4)(vii) when it addressed and decided the issue off PCRA/appellate counsel's alleged ineffectiveness even though that issue was not included in a Rule 1925 concise statement of matters complained of on appeal and, consequently, was not addressed by the PCRA court?

B. Does the Superior Court holding in the instant case conflict with the Superior Court's own prior holding in *Commonwealth v. Henkel*, 90 A.3d 16 (Pa. Super. 2014 (*en banc*)?

C. Did the Superior Court improperly engage in its own fact-finding rather than permit the PCRA court to resolve factual disputes arising from the record regarding PCRA/appellate counsel's alleged ineffective assistance?