IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA, Petitioner v. MARCUS GARETH KEVON DOVE, Petitioner	:	No. 551 MAL 2023 : : : Petition for Allowance of Appeal from the **Published Opinion and Order** of the Superior Court at No. 1380 MDA 2022, at 301 A.3d 427 (Pa. Super. 2023) entered on July 25, 2023, **affirming, vacating and remanding** the Judgment of Sentence of the Berks County Court of Common Pleas at No. CP-06-CR-0003445-2020 entered on September 1, 2022

ORDER

PER CURIAM **DECIDED: August 14, 2024**

AND NOW, this 14th day of August, 2024, the petition for allowance of appeal is GRANTED. The Superior Court's order is REVERSED to the extent that it vacated Respondent's judgment of sentence in part and remanded the matter to the trial court for further development of Respondent's challenge to Subchapter H of the Sexual Offender Registration and Notification Act ("SORNA"), 42 Pa.C.S. §§ 9799.10 – 9799.42. *See Commonwealth v. Torsilieri*, --- A.3d ---, 2024 WL 2789201, at *26 (Pa. filed May 31, 2024) (rejecting the constitutional challenge to the irrebuttable presumption set forth in Subchapter H of SORNA that sex offenders pose a high risk of reoffense); *Commonwealth v. Butler*, 226 A.3d 972, 993 (Pa. 2020) (holding that the registration, notification, and counseling provisions of SORNA applicable to sexually violent predators do not constitute criminal punishment; thus, the constitutional claims deriving from the alleged punitive nature of those provisions fail).