KURT D. MITCHELL,	:	IN THE SUPERIOR COURT OF PENNSYLVANIA
Appellant	:	
v.	:	
FRANCIS J. FORNELLI	:	No. 1842 WDA 2016

Appeal from the Order Entered November 10, 2016
in the Court of Common Pleas of Mercer County,
Civil Division at No(s): No. 2016-1647

BEFORE: BENDER, P.J.E., SHOGAN, J., and MUSMANNO, J.

CONCURRING STATEMENT BY MUSMANNO, J.: FILED MARCH 05, 2018

I reluctantly concur in the result. While the Majority is procedurally correct, a remand in this case simply delays the inevitable, i.e., dismissal of the action based upon judicial immunity.