

**IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 69 MAL 2019
	:	
Petitioner	:	
	:	
v.	:	Petition for Allowance of Appeal from
	:	the Order of the Superior Court
	:	
	:	
MICHAEL A. LEHMAN,	:	
	:	
Respondent	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 25<sup>th</sup> day of June, 2019, the Petition for Allowance of Appeal is  
**GRANTED**. The issue as stated by petitioner is:

Whether the Pennsylvania Superior Court erred as a matter of law by holding that the costs relating to contested expert testimony in a contested resentencing do not constitute costs of prosecution under 16 P.S. §1403,<sup>[1]</sup> and are ineligible for imposition upon a defendant reimbursement as part of a sentence as a matter of law rather than the sentencing court's discretion[?]