

[J-3-2013]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 77 MAP 2012
	:	
Appellee	:	Appeal from the Order of Superior Court
	:	dated October 5, 2011 at No. 3132 EDA
	:	2010, affirming the Judgment of Sentence
v.	:	of the Chester County Court of Common
	:	Pleas, Criminal Division, dated October
	:	11, 2010 at No. CP-15-CR-845-2010
SIMON RABAN,	:	
	:	
Appellant	:	ARGUED: March 5, 2013

ORDER

PER CURIAM

DECIDED: February 12, 2014

AND NOW, this 12th day of February, 2014, the Court being evenly divided, the Order of the Superior Court is **AFFIRMED**.

Former Justice Orié Melvin did not participate in the consideration or decision of this case.

Mr. Justice Eakin files a lead Opinion in Support of Affirmance in which Mr. Chief Justice Castille joins.

Mr. Chief Justice Castille files an Opinion in Support of Affirmance in which Mr. Justice Baer joins.

Madame Justice Todd files an Opinion in Support of Reversal in which Messrs. Justice Saylor and McCaffery join.