

APPENDIX-D

IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,

Respondent

v.

RICARDO NOBLE,

Petitioner

: No. 215 WAL 2019


:
: Petition for Allowance of Appeal
: from the Order of the Superior Court

ORDER

PER CURIAM

AND NOW, this 22nd day of January, 2020, the Petition for Allowance of Appeal
is DENIED.

A True Copy Patricia Nicola
As Of 01/22/2020

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

APPENDIX -
E

IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA, : No. 215 WAL 2019

Respondent

Application for Reconsideration

v.

RICARDO NOBLE,

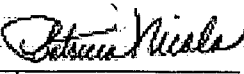
Petitioner

ORDER

PER CURIAM

AND NOW, this 25th day of February, 2020, the Application for Reconsideration is
denied.

A True Copy Patricia Nicola
As Of 02/25/2020

Attest: 
Chief Clerk
Supreme Court of Pennsylvania

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA : IN THE SUPERIOR COURT OF
PENNSYLVANIA

v.

RICARDO L. NOBLE

Appellant

No. 1354 WDA 2018

Appeal from the Judgment of Sentence Entered January 29, 2018
In the Court of Common Pleas of Erie County Criminal Division at No(s):
CP-25-CR-0000318-1992

COMMONWEALTH OF PENNSYLVANIA : IN THE SUPERIOR COURT OF
PENNSYLVANIA

v.

RICARDO NOBLE

Appellant

No. 1505 WDA 2018

Appeal from the Judgment of Sentence Entered January 29, 2018
In the Court of Common Pleas of Erie County Criminal Division at No(s):
CP-25-CR-0000318-1992

BEFORE: GANTMAN, P.J.E., SHOGAN, J., and COLINS*, J.

MEMORANDUM BY COLINS, J.:

FILED APRIL 09, 2019

Appellant, Ricardo Noble, *pro se*, appeals from the judgment of sentence
of 40 years to life imprisonment, which was imposed at his resentencing
pursuant to his jury trial convictions for murder of the second degree, criminal

* Retired Senior Judge assigned to the Superior Court.

conspiracy, and robbery.¹ We quash both appeals as untimely. Additionally, we deny Appellant's *pro se* "Motion[s] for Extension of Time to File Reply Brief" at both docket numbers as moot.

On July 19, 2017, the trial court granted Appellant relief pursuant to the Post Conviction Relief Act ("PCRA").² On January 29, 2018, the trial court resentenced Appellant. No post-sentence motion was filed. On February 20, 2018, Appellant's counsel filed a motion to withdraw, which the trial court did not address. Despite this pending motion, on March 9, 2018, counsel filed a motion to reinstate Appellant's appeal rights *nunc pro tunc*, which the trial court granted later that month. On March 22, 2018, counsel filed a notice of appeal, which this Court assigned Docket Number 420 WDA 2018,³ along with a concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(b). On April 10, 2018, counsel filed another motion to withdraw, which was denied by the trial court on April 30, 2018. On May 16, 2018, Appellant filed a motion to represent himself. On May 23, 2018, this Court remanded for a **Grazier** hearing.⁴ Following the hearing, on June 15, 2018, the trial court found that Appellant's request to proceed *pro se* was knowing,

¹ 18 Pa.C.S. §§ 2502(b), 903(a)(1), and 3701(a)(1), respectively. Appellant was originally sentenced on September 28, 1992.

² 42 Pa.C.S. §§ 9541–9546.

³ Docket No. 420 WDA 2018 corresponds to Journal No. J-S15003-19, and the 13 issues raised therein are addressed in a separate memorandum decision.

⁴ ***Commonwealth v. Grazier***, 713 A.2d 81 (Pa. 1998).

intelligent, and voluntary, and it granted said request. On July 5, 2018, Appellant requested the trial court's permission to supplement the concise statement of errors complained of on appeal, which the trial court granted on July 16, 2018. Appellant filed a supplemental concise statement of errors on August 8, 2018.

On September 19, 2018, Appellant filed two notices of appeal, which were assigned the instant Docket Numbers 1354 WDA 2018 and 1505 WDA 2018.⁵

When the trial court issues an order reinstating an appellant's appeal rights, the appellant must file the appeal within 30 days of the order reinstating the appeal rights.³

³ **See** Pa.R.A.P. 903(a) (Except as otherwise prescribed by this rule, the notice of appeal shall be filed within 30 days after the entry of the order from which the appeal is taken).

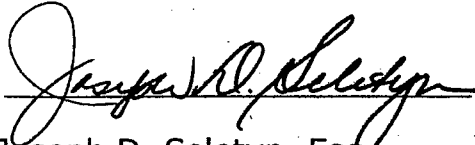
Commonwealth v. Wright, 846 A.2d 730, 734-35 (Pa. Super. 2004). In the current action, the trial court issued an order reinstating Appellant's appeal rights in March 2018; he did not file the notices of appeal for the instant dockets, Docket Numbers 1354 WDA 2018 and 1505 WDA 2018, until September 2018 – about five months late. Appellant's notices of appeal thus were untimely, and we hence quash both appeals. We deny Appellant's *pro*

⁵ Appellant simultaneously filed concise statements, raising issues about the production of documents and his motion for correction to the notes of testimony for his resentencing hearing; these claims were not included in the statement initially filed by counsel on March 22, 2018, or in Appellant's *pro se* supplemental statement filed on August 8, 2018. The trial court filed memorandum opinions addressing Appellant's issues on November 8, 2018, both of which relied in part upon an order it had entered on August 28, 2018.

se "Motion[s] for Extension of Time to File Reply Brief" at both docket numbers
as moot due to these quashals.

Appeals quashed. Motions denied.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn". The signature is fluid and cursive, with a horizontal line drawn through the middle of the name.

Joseph D. Seletyn, Esq.
Prothonotary

Date: 4/9/2019

APPENDIX-B

IN THE SUPERIOR COURT OF PENNSYLVANIA
WESTERN DISTRICT

APPENDIX-B

COMMONWEALTH OF PENNSYLVANIA : No. 1505 WDA 2018

v.

RICARDO NOBLE

Appellant

ORDER

IT IS HEREBY ORDERED:

THAT the application filed April 15, 2019, requesting reconsideration/reargument of the decision dated April 9, 2019, is DENIED.

PER CURIAM

APPENDIX
C

COMMONWEALTH OF PENNSYLVANIA

v.

RICARDO NOBLE,
Appellant

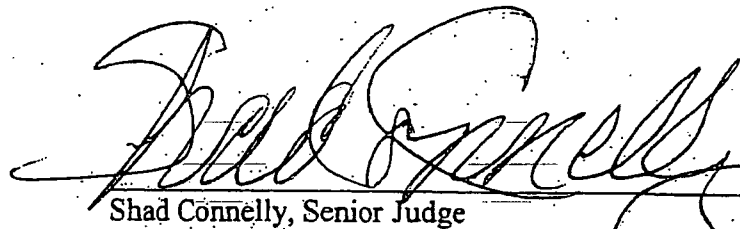
IN THE COURT OF COMMON PLEAS
OF ERIE COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

NO. 318 OF 1992

ORDER

AND NOW, this 28th day of August, 2018, it is hereby ORDERED that the Appellant's Motion for Correction of Resentence Hearing Transcript is DENIED. Both the Court Stenographer and the Court have certified the record to be accurate and there is no other record or recording of the proceeding.

BY THE COURT:



Shad Connelly, Senior Judge

cc: Office of Erie County District Attorney
Ricardo Noble, BX-9351
c/o SCI Greene
175 Progress Drive
Waynesburg, PA 15370

CLERK OF COURT
2018 AUG 28 PM 3:36
ERIE COUNTY
CLERK OF COURT
ERIE, PA 16501