

**IN THE COURT OF COMMON PLEAS OF CARBON COUNTY, PENNSYLVANIA  
CRIMINAL DIVISION**

COMMONWEALTH OF PENNSYLVANIA	:	
vs.	:	Nos: 183 CR 2010
	:	185 CR 2010
JEFFREY COPE,	:	187 CR 2010
Defendant	:	

Michael S. Greek, Esquire	
Assistant District Attorney	Counsel for the Commonwealth
Kent D. Watkins, Esquire	Counsel for the Defendant

**MEMORANDUM OPINION**

Serfass, J. - June 21, 2012

Defendant Jeffrey Cope (hereinafter "Defendant") has appealed our order of sentence entered on May 14, 2012 in connection with case numbers 183 CR 2010, 185 CR 2010 and 187 CR 2010. As set forth in his concise statement of matters complained of on appeal, Defendant alleges that this Court erred in failing to allow him to withdraw his guilty pleas prior to sentencing and proceed to trial.

On January 4, 2011, Defendant entered into a stipulation with the Commonwealth pursuant to which he agreed to plead guilty to offenses docketed in four separate cases, including 183 CR 2010 (Rape, Indecent Exposure and Corruption of Minors), 185 CR 2010 (Indecent Assault) and 187 CR 2010 (Rape of a Child, Involuntary Deviate Sexual Intercourse with a Child and Indecent Assault), which are the three cases subject to this appeal. As part of the stipulation, Defendant waived his right to withdraw

those guilty pleas. On February 4, 2011, Defendant petitioned this Court indicating that his attorney had convinced him to enter the guilty pleas, and that he wished to withdraw said pleas and proceed to trial on each case. On March 15, 2011, in response to Defendant's request, this Court removed each of Defendant's cases from the guilty plea list and scheduled them for trial on April 11, 2011. However, on April 7, 2011, Defendant entered into a second stipulation agreeing to plead guilty to the same offenses in each of the pending cases, and again agreed to waive his right to withdraw the guilty pleas. The Court accepted Defendant's guilty pleas during a hearing held on April 7, 2012 and ordered that a pre-sentencing investigation and a Megan's Law assessment be prepared for our consideration in this matter.

On July 5, 2011, Defendant again petitioned this Court contending that he had been coerced by the Chief Public Defender into entering the guilty pleas, and that he wished to withdraw his pleas. Following this Court's appointment of successor counsel for Defendant, an evidentiary hearing on Defendant's "Motion to Withdraw Plea of Guilty Pursuant to Pa.R.Crim.P. 591" was held before the undersigned. In a Memorandum Opinion and Order dated January 10, 2012, we denied Defendant's request to withdraw the guilty pleas entered in case numbers 183 CR 2010, 185 CR 2010 and 187 CR 2010.

Accordingly, we believe that our Memorandum Opinion of January 10, 2012 addresses the issue raised in Defendant's concise statement. For this reason, we have attached a copy of the January 10, 2012 Memorandum Opinion to this opinion for the convenience of the Superior Court. We therefore submit that Defendant's appeal is without merit and respectfully request that our order of sentence be affirmed.

**BY THE COURT:**

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**Steven R. Serfass, J.**