

2016 PA Super 225

IN THE INTEREST OF: A.A., A MINOR

IN THE SUPERIOR COURT OF
PENNSYLVANIA

APPEAL OF: A.A.

No. 1931 MDA 2015

Appeal from the Dispositional Order September 28, 2015
In the Court of Common Pleas of Dauphin County
Juvenile Division at No(s): CP-22-JV-0000144-2015

BEFORE: FORD ELLIOTT, P.J.E., BENDER, P.J.E., and STEVENS, P.J.E.*

CONCURRING OPINION BY STEVENS, P.J.E.: **FILED OCTOBER 18, 2016**

While I agree with the Majority that the detention at issue was legal, and thus, the dispositional order should be affirmed, I write separately to observe that the discussion of the three-judge panel opinion in ***Commonwealth v. Nguyen***, 116 A.3d 657 (Pa.Super. 2015), is unwarranted. Rather, quite simply, we are bound to follow this Court's *en banc* opinion in ***Commonwealth v. Kemp***, 961 A.2d 1247 (Pa.Super. 2008) (*en banc*).

* Former Justice specially assigned to the Superior Court.