

NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellee	:	
	:	
v.	:	
	:	
DEVON O. SHEALEY	:	
	:	
Appellant	:	No. 186 WDA 2015

Appeal from the Judgment of Sentence Entered July 17, 2014
In the Court of Common Pleas of Beaver County
Criminal Division at No(s): CP-04-CR-2117-2012

BEFORE: OLSON, STABILE and STRASSBURGER,* JJ.

CONCURRING MEMORANDUM BY STRASSBURGER, J.: **FILED MAY 24, 2016**

I join the Majority Memorandum with its incorporation of an excellent trial court opinion except in a single respect.

The trial court allowed evidence of Appellant’s incarceration for other crimes on the basis of the “complete story” exception to the general proscription against evidence of other bad acts. This was error. As here, this exception can easily swallow the rule. Practically anything can come into evidence under the broad rubric of the “complete story.”

Nonetheless, the admission of the testimony from Cheryl Chambers and Isaiah Paillett is harmless because prior thereto, Rachel Harden had testified, without objection, to Appellant’s incarceration.

* Retired Senior Judge assigned to the Superior Court.