

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
DONALD LEE KRIETZ	:	
	:	
Appellant	:	No. 493 MDA 2018

Appeal from the Judgment of Sentence February 15, 2018
In the Court of Common Pleas of Adams County
Criminal Division at No(s): CP-01-SA-0000101-2017

BEFORE: OTT, J., McLAUGHLIN, J., and FORD ELLIOTT, P.J.E.

JUDGMENT ORDER BY OTT, J.: **FILED SEPTEMBER 19, 2018**

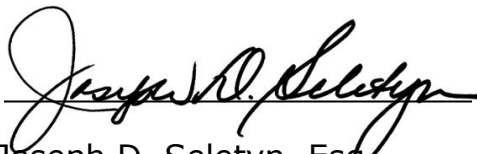
Donald Lee Krietz appeals, *pro se*, from the judgment of sentence entered on February 15, 2018, in the Adams County Court of Common Pleas. At a summary trial on that same day, the trial court convicted Krietz of maximum speed limits in violation of 75 Pa.C.S. § 3362(a)(2). The court sentenced Krietz to pay a fine in the amount of \$67.00, plus all fees, fines, and costs mandated by law.

The record reveals that on March 20, 2018, the trial court ordered Krietz to file a concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(b). Krietz failed to do so. The Pennsylvania Supreme Court has previously held that issues are waived when an appellant fails to file a timely, court-ordered concise statement. ***See Commonwealth v. Castillo***, 888 A.2d 775 (Pa. 2005); ***Commonwealth v. Schofield***, 888 A.2d 771 (Pa.

2005).¹ Here, we find Krietz's failure to file a concise statement results in waiver of the sole issue² raised on appeal, and consequently, his appeal is dismissed. **See Castillo, supra.**

Appeal dismissed. Jurisdiction relinquished. Matter stricken from argument list.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn". The signature is written in a cursive, flowing style.

Joseph D. Seletyn, Esq.
Prothonotary

Date: 09/19/2018

¹ **See also** Trial Court Opinion, 4/26/2018, at 1, *citing Feingold v. Hendrzak*, 15 A.3d 937 (Pa. Super. 2011).

² In his one-page *pro se* brief, Krietz challenges the weight of the evidence with respect to the credibility of the investigating police officer. **See** Krietz's Brief.