

**IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 609 EAL 2014
	:	
Petitioner	:	
	:	
v.	:	Petition for Allowance of Appeal from the
	:	: Unpublished Memorandum and Order
	:	: of the Superior Court at No. 367 EDA
	:	: 2013 filed September 12, 2014, vacating
	:	: the Order of the Philadelphia County Court
RONDELL SLAUGHTER,	:	: of Common Pleas at No.
	:	: CP-51-CR-0809732-2001 filed April 8,
Respondent	:	: 2010

ORDER

PER CURIAM

AND NOW, this 28th day of July, 2015, the Petition for Allowance of Appeal is **GRANTED**. Further, as the Superior Court improperly evaluated Respondent’s ineffectiveness of counsel claim under the harmless error standard applicable on direct appeal, the Superior Court’s order is **VACATED**, and the matter is **REMANDED** to the Superior Court to reevaluate Respondent’s ineffectiveness claim under the Pierce/Strickland standard requiring a showing of actual prejudice, and for further proceedings, as necessary. See Commonwealth v. Pierce, 527 A.2d 973 (Pa. 1986); Strickland v. Washington, 466 U.S. 668 (1984); see also Commonwealth v. Spatz, 84 A.3d 294, 315 (Pa. 2014) (“[T]he test for prejudice in the ineffectiveness context is more exacting than the test for harmless error, and the burden of proof is on the defendant, not the Commonwealth.” (internal quotation marks omitted)).

Jurisdiction relinquished.