

**[J-41D-2017] [OAJC]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 86 MAP 2016
	:	
Appellant	:	Appeal from the Order of the Superior
	:	Court at No. 2125 MDA 2014 dated July
	:	14, 2015, Reconsideration Denied
v.	:	September 17, 2015, Vacating and
	:	Remanding the Judgment of Sentence
	:	of Schuylkill County Court of Common
ANGEL ANTHONY RESTO,	:	Pleas, Criminal Division, at No. CP-54-
	:	CR-0001840-2013 dated November 24,
Appellee	:	2014.
	:	
	:	ARGUED: May 9, 2017

DISSENTING OPINION

JUSTICE BAER

DECIDED: February 21, 2018

I join that portion of Justice Mundy’s Dissenting Opinion which holds that this Court’s decision in *Commonwealth v. Wolfe*, 140 A.3d 651 (Pa. 2016), requires a conclusion that 42 Pa.C.S. § 9718(a)(3) cannot withstand constitutional scrutiny. See *Wolfe*, 140 A.3d at 663 (“Section 9718 is irremediably unconstitutional on its face, non-severable, and void.”).