

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 316 MAL 2018
	:	
Respondent	:	
	:	Petition for Allowance of Appeal from
v.	:	the Order of the Superior Court
	:	
	:	
PATRICK TIGHE,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 15th day of October, 2018, the Petition for Allowance of Appeal is **GRANTED, LIMITED TO** the issues set forth below. Allocatur is **DENIED** as to the remaining issue. The issues, as stated by petitioner, are:

- (1) In an issue of first impression, after a knowing, voluntary and intelligent *Faretta* colloquy where the trial court approves the right of self-representation during a criminal trial, whether the trial court can thereafter limit or deny the guaranteed right to self-representation by forcing standby counsel to participate during the trial for reasons other than waiver or forfeiture of that right?

- (2) Whether the Superior Court disregarded the limits set for standby counsel by Pennsylvania Rule of Criminal Procedure 121(D) and legal precedent reached in *Commonwealth v. Spatz*, 47 A.3d 63 (Pa. 2012), by authorizing standby counsel to participate during trial before jury over the objections of the accused and absent waiver or forfeiture of the accused's right to self-representation?

- (3) Whether it was sufficiently established that the minor victim would suffer emotional trauma making her unable to reasonably communicate if questioned by the accused during trial thereby making it necessary to deny and/or limit the right to self-representation?