

[J-16-2019]
IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 748 CAP
	:	
Appellee	:	Appeal from the Order entered on
	:	November 16, 2007 in the Court of
	:	Common Pleas, Philadelphia
v.	:	County, Criminal Division, denying
	:	PCRA relief at No. CP-51-CR-
	:	0602521-1989. (Nunc Pro Tunc
ANTHONY REID,	:	appeal rights reinstated on June 22,
	:	2017)
Appellant	:	
	:	SUBMITTED: February 4, 2019

CONCURRING STATEMENT

JUSTICE DONOHUE

DECIDED: October 15, 2020

I join the order as I am constrained to do as a result of this Court's precedential opinion in *Commonwealth v. Reid*, 235 A.3d 1124 (Pa. 2020). For the reasons stated in my dissenting opinion in *Reid*, I continue to hold the view that *Williams v. Pennsylvania*, ___ U.S. ___, 136 S.Ct. 1899 (2016), mandates that this defendant receive a de novo appeal to this Court because former Justice Castille, while the District Attorney of Philadelphia, authorized the pursuit of the death penalty in his case and later participated in the appeal of the imposition of that sentence. *Williams* should have been retroactively applied to this defendant and the two other defendants similarly situated. I continue to believe that the preservation of the integrity of this Court demanded no less.