

**[J-46-2016] [MO:Donohue, J.]  
IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 66 MAP 2015
	:	
Appellee	:	Appeal from the Order of the Superior
	:	Court dated February 9, 2015 at No.
v.	:	386 MDA 2014 reversing the Order of
	:	the Court of Common Pleas of Clinton
	:	County, Criminal Division, dated
	:	February 26, 2014 at No. CP-18-CR-
RAHIEM CARDEL FANT,	:	0000415-2013
	:	
Appellant	:	SUBMITTED: March 16, 2016

**CONCURRING AND DISSENTING OPINION**

**JUSTICE TODD**

**DECIDED: September 28, 2016**

I join the Majority Opinion, except for its mandate. For the reasons expressed by Justice Baer, see Dissenting Opinion (Baer, J.) at 5-6, I would remand the matter to the Superior Court for resolution of the remaining issues presented by the Commonwealth to, but not addressed by, that court.