**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37**

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| COMMONWEALTH OF PENNSYLVANIA | : | IN THE SUPERIOR COURT OF PENNSYLVANIA |
| v. | : | |
| ISAIAH L CAPITOL | : | |
| Appellant | : | No. 205 WDA 2026 |

Appeal from the PCRA Order Entered January 27, 2026
In the Court of Common Pleas of Erie County Criminal Division at No(s): CP-25-CR-0002456-2002

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| COMMONWEALTH OF PENNSYLVANIA | : | IN THE SUPERIOR COURT OF PENNSYLVANIA |
| v. | : | |
| ISAIAH L. CAPITOL | : | |
| Appellant | : | No. 424 WDA 2026 |

Appeal from the PCRA Order Entered January 27, 2026
In the Court of Common Pleas of Erie County Criminal Division at No(s): CP-25-CR-0002196-2003

BEFORE: STABILE, J., LANE, J., and BENDER, P.J.E.

JUDGMENT ORDER BY BENDER, P.J.E.: **FILED: NOVEMBER 17, 2026**

In these consolidated appeals,[1] Appellant appeals the dismissal of his Post Conviction Relief Act[2] (PCRA) petition. The PCRA court dismissed the petition on January 27, 2026, after concluding that Appellant had completed

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[1] On April 1, 2026, these appeals were consolidated *sua sponte* pursuant to Pa.R.A.P. 513. ***See*** Order, 4/1/26 (single page).

[2] 42 Pa.C.S. §§ 9541-9546.

his sentences at dockets CP-25-CR-0002456-2002 and CP-25-CR-0002196-2003, rendering him ineligible for relief. ***See*** Order, 1/27/26. However, in its Pa.R.A.P. 1925(a) opinion, the PCRA court conceded that Appellant remains on parole at the above dockets, and that the case should be remanded to the PCRA court where Appellant's claims can be litigated. ***See*** PCRA Court Opinion, 4/22/26 (single page). In a letter filed in lieu of a brief to this Court, the Commonwealth stated that it did not object to remand. ***See*** Commonwealth's Letter, 6/30/26 (single page).

The record reveals that Appellant's sentences do not expire until July 27, 2027, as reflected in a Pennsylvania Board of Probation and Parole order dated March 11, 2020. The Commonwealth has not disputed the accuracy of that order.

Because the record supports the PCRA court's conclusion that Appellant remains on parole at the aforementioned trial court dockets, we vacate the order dismissing Appellant's PCRA petition and remand this matter to the PCRA court for further proceedings consistent with this judgment order.

Order vacated. Case remanded for further proceedings. Jurisdiction relinquished.

Judgment Entered.

Benjamin D. Kohler

Benjamin D. Kohler, Esq.
Prothonotary

DATE: 11/17/2026