

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
RAHMEER YOUNG	:	
	:	
Appellant	:	No. 1795 EDA 2025

Appeal from the PCRA Order Entered June 10, 2025
In the Court of Common Pleas of Philadelphia County Criminal Division at
No(s): CP-51-CR-0003398-2019

BEFORE: McLAUGHLIN, J., KING, J., and BECK, J.

MEMORANDUM BY KING, J.:

FILED SEPTEMBER 29, 2026

Appellant, Rahmeer Young, appeals from the order entered in the Philadelphia County Court of Common Pleas, which denied his first petition brought pursuant to the Post Conviction Relief Act ("PCRA").¹ We affirm.

This Court previously set forth the relevant facts of this case as follows:

On March 13, 2019, at approximately 2:00 a.m., Appellant ... robbed [Victim], on the 3200 block of Pearl Street in Philadelphia, as she was walking home from the Drexel University library. According to [Victim], Appellant approached her and told her "give me everything you have or it'll get really violent." Appellant then put his hand on a bulge on his left side, which led [Victim] to assume he was armed. Appellant then took a \$50 American Express gift card and [Victim]'s student ID. He then grabbed [Victim]'s arm and attempted to drag her to a secondary location. [Victim] was able to break free, and she fled to her home, where she contacted police. Philadelphia Police Officers apprehended Appellant based on [Victim]'s description.

¹ 42 Pa.C.S.A. §§ 9541-9546.

Appellant was in possession of [Victim]’s stolen belongings, and [Victim] positively identified Appellant as the man who robbed her.

Commonwealth v. Young, No. 2098 EDA 2020, unpublished memorandum at 1 (Pa.Super. filed Jan. 28, 2022) (quoting Trial Court Opinion, 2/16/21, at 1).

On June 20, 2019, Appellant entered an open guilty plea to robbery and terroristic threats. The court ordered a presentence investigation report (“PSI”) and held a sentencing hearing on September 5, 2019, after which it sentenced Appellant to 10 to 20 years’ imprisonment for robbery and 2½ to 5 years of imprisonment for terroristic threats. On January 28, 2022, this Court affirmed Appellant’s judgment of sentence for robbery but vacated the judgment of sentence for terroristic threats, concluding that the offense should have merged with robbery for sentencing purposes. ***See id.***

On December 28, 2022, Appellant filed a timely PCRA petition alleging ineffective assistance of plea counsel. On April 3, 2023, Appellant filed a motion for leave to file a petition for allowance of appeal to the Pennsylvania Supreme Court *nunc pro tunc*. The PCRA court granted the motion and reinstated Appellant’s right to file a petition for allowance of appeal. Appellant filed his petition for allowance of appeal on July 11, 2023, and our Supreme Court denied the petition on November 7, 2023.

On November 5, 2024, Appellant filed a timely counseled PCRA petition, raising the following four claims: 1) ineffective assistance of plea counsel

providing misleading information regarding the potential sentence, failing to file pretrial motions, and failing to interview witnesses; 2) an unlawfully induced guilty plea; 3) a violation of Appellant's constitutional rights based on plea counsel's ineffective assistance; and 4) that the sentence for terroristic threats should have merged for sentencing purposes. The Commonwealth filed an answer explaining that it did not oppose an evidentiary hearing and agreeing that the trial court docket did not reflect that this Court had vacated Appellant's sentence for terroristic threats on direct appeal.

The PCRA court conducted an evidentiary hearing on June 10, 2025.

The court summarized the testimony from that hearing as follows:

PCRA counsel for Appellant called Appellant as his first witness. (N.T. Hearing, 6/10/25, at 4). Appellant testified that he hired David Desiderio[, Esquire,] for representation, but due to miscommunication over billing, Desiderio did not appear at a pretrial conference on June 20, 2019. (*Id.* at 5-6). As Appellant did not have counsel, [the trial court] appointed William Christopher Montoya[, Esquire, ("Plea Counsel")] to represent Appellant. (*Id.* at 7). Appellant testified that he spoke to [Plea Counsel] for about three (3) to five (5) minutes on the day he was appointed. (*Id.*) According to Appellant, [Plea Counsel] stated that the case was marked "must be tried" and that [the] Commonwealth was offering two and a half (2½) to five (5) years for a plea. (*Id.*) Appellant testified that [Plea Counsel] did not discuss the facts of the case or review the police paperwork with him. (*Id.*) Appellant claimed that [Plea Counsel] told him that if he did not accept Commonwealth's plea offer, his bail could be revoked because the judge was in a bad mood that day. (*Id.* at 9).

Appellant asserted that he never received an explanation regarding a guilty plea prior to being given a guilty plea colloquy to sign. (*Id.*) Appellant stated that [Plea Counsel] did not review each page of the guilty plea colloquy with

him. (*Id.* at 14). Additionally, Appellant testified that [Plea Counsel] never discussed sentencing guidelines or the maximum sentence that could be imposed. (*Id.* at 11-12). PCRA counsel showed Appellant the last page of the guilty plea colloquy marked "Exhibit 1" and Appellant agreed that he signed the document. (*Id.* at 10). Appellant testified that he could not remember if he saw the handwritten statements indicating that the plea was "open" and repeated that he never went over the guilty plea colloquy. (*Id.* at 14). Appellant believed that [the] Commonwealth offered a guilty plea agreement of two (2) to five (5) years of incarceration. (*Id.* at 15). Appellant testified that he took the plea because he was guilty but did not understand what he was signing. (*Id.* at 16).

Prior to Appellant's sentencing hearing, Appellant claimed that he had no contact with [Plea Counsel.] (*Id.* at 17). Appellant denied ever being told that he had a right to withdraw his plea prior to sentencing. (*Id.* at 18). At sentencing, [the] Commonwealth requested a sentence of two and a half (2½) to five (5) years of incarceration. (*Id.* at 19).

On cross-examination, Appellant testified that he only spoke with [Plea Counsel] prior to accepting the guilty plea and [Plea Counsel] never used the words "open" or "negotiated" plea. (*Id.* at 21). Appellant confirmed that he did receive the plea agreement and repeated that he never read it or had it explained to him. (*Id.* at 22-23). Appellant restated that he never heard his offense gravity score or prior record score prior to incarceration and was surprised to hear that both scores were discussed at his sentencing hearing. (*Id.* at 23-24). Appellant then stated that he did not remember signing the guilty plea colloquy but admitted that his signature was on the document. (*Id.* at 25). On re-direct examination, Appellant stated that he could not recall the first time he saw the guilty plea colloquy. (*Id.* at 26). On recross-examination, Appellant agreed that he pled guilty to DUI charges in 2008 and 2010 but said that he, "can't remember that far." (*Id.* at 27).

PCRA counsel for Appellant called [Plea Counsel] as his second witness. (*Id.* at 31). [Plea Counsel] recalled representing Appellant on June 20, 2019 but did not have

his case file because he retired and no longer lives in Pennsylvania. (*Id.* at 31-32). [Plea Counsel] misplaced the file, which was scanned onto a USB stick, when he moved. (*Id.* at 32). Prior to testifying, [Plea Counsel] reviewed information sent by the Commonwealth to refresh his memory regarding Appellant's case. (*Id.*)

[Plea Counsel] testified that it was regular practice for him to immediately meet with defendants after being appointed to discuss their case and see how they wished to proceed. (*Id.* at 33). [Plea Counsel] testified that the speed of his review depended on [the trial court judge,] Judge Means who moved through his court list quickly. (*Id.* at 35). Judge Means would send out cases for trial to "hurry along the process" which sometimes was "not in the best interest of the client." (*Id.*) To learn the facts of a case, [Plea Counsel] stated that it was his practice to ask [the] Commonwealth for discovery. (*Id.*) [Plea Counsel] testified that he would request a continuance and spend additional time with clients if they asked. (*Id.* at 42).

[Plea Counsel] was appointed to Appellant's case from the bench and called out to the gallery of courtroom 705 to find Appellant. (*Id.* at 34). Prior to discussing Appellant's case, [Plea Counsel] read Appellant's police report and learned that Appellant robbed a young, female Drexel University student using force and was arrested several blocks away with her possessions. (*Id.* at 39). [Victim] positively identified Appellant and the items that he took from her. (*Id.*) When [Plea Counsel] and Appellant met, [Plea Counsel] did not have the physical police report to show Appellant. (*Id.* at 34-36). [Plea Counsel] could not recall if he had a plea offer from [the] Commonwealth when he spoke to Appellant. (*Id.* at 37). [Plea Counsel] testified that Appellant told him that he could not remember what occurred on the night of the offense because he was under the influence of a large amount of Xanax. (*Id.* at 38).

[Plea Counsel] asked Appellant if he wanted to go to trial and explained that the judge could provide a sentence of ten (10) to twenty (20) years for Robbery and two and a half (2½) to five (5) years for Terroristic Threats. (*Id.* at 40, 50). [Plea Counsel] explained to Appellant what an open guilty plea was and that, after parties recommended

sentences, [the trial court] would still ultimately decide the sentence. (*Id.* at 46).

[Plea Counsel] told Appellant that they could ask for a sentence of eleven and a half (11½) months to twenty-three (23) months of incarceration plus probation and that the judge would “give people a break” if they had good mitigating circumstances. (*Id.* at 41). [Plea Counsel] testified that he told Appellant that he had an absolute right to go [to] trial but accepting responsibility would be a mitigating factor and that [the trial court] would probably provide a favorable sentence. (*Id.* at 43-44). [Plea Counsel] stated that he could not recall telling Appellant the sentencing guidelines because he believed that Appellant was going to receive a favorable sentence. (*Id.* at 51). [Plea Counsel] also explained to Appellant that there was “strong” evidence against him because he was identified at the crime scene with [Victim’s] items. (*Id.* at 43). If a guilty plea was not accepted by Appellant at [the] pretrial conference, [Plea Counsel] told Appellant that he would receive a trial date. (*Id.*) [Plea Counsel] estimated that he discussed a plea offer with Appellant for ten (10) to fifteen (15) minutes. (*Id.* at 41). [Plea Counsel] stated that he was surprised and not sure why Appellant had the impression that he was entering into a sentence of two and a half (2½) to five (5) years because Appellant would have been incarcerated immediately and because a negotiated plea was not discussed. (*Id.* at 52).

[Plea Counsel] first learned that [Victim] had a physical disability when she provided her impact statement at sentencing. (*Id.* at 48). [(Victim is an amputee with a prosthetic leg.)] [Plea Counsel] believed that Appellant did not receive a favorable sentence due in part to [Victim’s] disability. (*Id.* at 44). Until the victim appeared at sentencing, [Plea Counsel] believed that everything was going well for Appellant because [the trial court] spoke to Appellant’s mother and thought highly of her. (*Id.* at 45). Appellant only had convictions for DUIs, no history of violence, good family support and was employed. (*Id.* at 46). In [Plea Counsel’s] experience, all of these factors usually led [the trial court] to provide a mitigated sentence. (*Id.*) Additionally, the police report, FIR, mental health report and presentence investigation did not disclose the

physical condition of [Victim]. (*Id.* at 45, 48). [Plea Counsel] admitted that if he was aware that [Victim] had a physical disability, he would have advised Appellant differently. (*Id.* at 45). [Plea Counsel] did not voice his concerns to Appellant at sentencing after seeing [the victim]. (*Id.* at 48-49). [Plea Counsel] did not believe that [the trial court] would have allowed Appellant to withdraw his plea at sentencing. (*Id.* at 49). [Plea Counsel] stated that, “never in [his] wildest dreams did [he] believe that [Appellant] was going to get twelve and a half (12½) to twenty-five (25).” (*Id.* at 50).

On cross-examination, [Plea Counsel] testified that he was a practicing lawyer for twenty-seven and a half (27½) years before retiring. (*Id.* at 53). [Plea Counsel] stated that he would never promise a defendant a certain period of time in an open guilty plea. (*Id.*) [Plea Counsel] said that he, “would give them [his] best estimation based on [his] experience of [the trial court].” (*Id.*) [Plea Counsel] felt that he had a good sense of how [the trial court] would sentence defendants, but he would never make a guarantee to a client. (*Id.* at 54). [Plea Counsel] provided Appellant with his options and explained that [the] Commonwealth had strong evidence for a conviction. (*Id.* at 55-56). [Plea Counsel] testified that he never had a defendant sign a guilty plea that was not filled out. (*Id.* at 57). [Plea Counsel] restated that he was surprised when Appellant received the maximum sentence for Robbery and Terroristic Threats. (*Id.* at 58).

(PCRA Court Opinion, filed 11/14/25, at 3-7) (citation formatting provided; some bracketing in original).

On June 10, 2025, the PCRA court denied relief. That same day, Appellant filed a timely notice of appeal and, pursuant to the court’s order, he filed a timely concise statement of errors on July 31, 2025.

Appellant raises the following issues on appeal:

1. Whether the PCRA court erred by dismissing the PCRA petition when clear and convincing evidence was presented

to establish that [Plea C]ounsel was ineffective for providing misleading information regarding the potential sentence to be imposed, failing to file and litigate pre-trial motions, failing to interview and subpoena witnesses, and failing to meet and prepare with appellant prior to trial.

2. Whether the PCRA court erred by dismissing the PCRA petition when clear and convincing evidence was presented to establish that Appellant's guilty plea was unknowing and involuntary based on defective oral and written plea colloquies, and that [Plea C]ounsel's ineffective representation was the causal nexus for the unlawfully induced guilty plea.

3. Whether the PCRA court erred by dismissing the PCRA petition when clear and convincing evidence was presented to establish violations of Appellant's constitutional rights under the United States and Pennsylvania Constitutions based on [Plea C]ounsel's ineffective representation and the due process violations associated with the unknowing and involuntary guilty plea.

(Appellant's Brief at 8).²

"Our standard of review of [an] order granting or denying relief under

² Notwithstanding Appellant's claims in his first issue of the statement of questions presented, Appellant fails to include in his brief any non-boilerplate arguments concerning his claim that counsel was ineffective for failing to file and litigate pre-trial motions and failing to interview and subpoena witnesses. (**See** Appellant's Brief at 13-16). Appellant makes no mention of what pretrial motions counsel should have filed, or what witnesses should have been subpoenaed and interviewed. (**See id.**) "[B]oilerplate, undeveloped" arguments regarding ineffective assistance of counsel are "insufficient to establish an entitlement to post-conviction relief." **Commonwealth v. Spatz**, 587 Pa. 1, 99-100, 896 A.2d 1191, 1250 (2006) (citations omitted). Because Appellant failed to develop these claims in any meaningful fashion, we deem these particular claims waive and give them no further attention. **See Commonwealth v. Perez**, 625 Pa. 601, 93 A.3d 829 (2014) (holding that appellant's use of boilerplate language that failed to provide any developed argument resulted in waiver of issue on appeal).

the PCRA calls upon us to determine whether the determination of the PCRA court is supported by the evidence of record and is free of legal error.” ***Commonwealth v. Parker***, 249 A.3d 590, 594 (Pa.Super. 2021) (quoting ***Commonwealth v. Barndt***, 74 A.3d 185, 191-92 (Pa.Super. 2013)). “The PCRA court’s factual findings are binding if the record supports them, and we review the court’s legal conclusions *de novo*.” ***Commonwealth v. Prater***, 256 A.3d 1274, 1282 (Pa.Super. 2021), *appeal denied*, 672 Pa. 30, 268 A.3d 386 (2021). If the record supports a post-conviction court’s credibility determination, it is binding on the appellate court. ***Commonwealth v. Dennis***, 609 Pa. 442, 17 A.3d 297 (2011).

Appellant’s issues are related and we address them together. Appellant claims that Plea Counsel rendered ineffective assistance by failing to inform Appellant of the correct maximum sentence to which he could be sentenced if he pled guilty, and failing to inform Appellant that he was entering an open plea. Appellant insists that had he known that he could have been sentenced to 20 years of incarceration he would have insisted on going to trial. Appellant maintains that counsel’s failures resulted in Appellant entering a plea that was not knowingly, intelligently, and voluntarily made because the trial court relied on the contents of the written plea colloquy to inform Appellant of his rights. Appellant contends that counsel’s ineffective assistance concerning his plea created a due process violation because it rendered Appellant’s plea unknowing and involuntary. Appellant concludes the PCRA court erred by

dismissing the petition in light of these errors. We disagree.

It is well settled that,

to establish a claim of ineffective assistance of counsel, a defendant “must show, by a preponderance of the evidence, ineffective assistance of counsel which, in the circumstances of the particular case, so undermined the truth-determining process that no reliable adjudication of guilt or innocence could have taken place.” ***Commonwealth v. Turetsky***, 925 A.2d 876, 880 (Pa.Super. 2007) (citation omitted). The burden is on the defendant to prove all three of the following prongs: “(1) the underlying claim is of arguable merit; (2) that counsel had no reasonable strategic basis for his or her action or inaction; and (3) but for the errors and omissions of counsel, there is a reasonable probability that the outcome of the proceedings would have been different.” ***Id.*** (citation omitted).

We have explained that

[a] claim has arguable merit where the factual averments, if accurate, could establish cause for relief. ***See Commonwealth v. Jones***, 583 Pa. 130, 876 A.2d 380, 385 (2005) (“if a petitioner raises allegations, which, even if accepted as true, do not establish the underlying claim ..., he or she will have failed to establish the arguable merit prong related to the claim”). Whether the facts rise to the level of arguable merit is a legal determination.

The test for deciding whether counsel had a reasonable basis for his action or inaction is whether no competent counsel would have chosen that action or inaction, or, the alternative, not chosen, offered a significantly greater potential chance of success. Counsel’s decisions will be considered reasonable if they effectuated his client’s interests. We do not employ a hindsight analysis in comparing trial counsel’s actions with other efforts he may have taken.

Prejudice is established if there is a reasonable probability that, but for counsel’s errors, the result of

the proceeding would have been different. A reasonable probability is a probability sufficient to undermine confidence in the outcome.

Commonwealth v. Stewart, 84 A.3d 701, 707 (Pa.Super. 2013) (some internal quotations and citations omitted).

Commonwealth v. Sandusky, 203 A.3d 1033, 1043-44 (Pa.Super. 2019), *appeal denied*, 654 Pa. 568, 216 A.3d 1029 (2019).

A criminal defendant has the right to effective counsel during a plea process as well as during trial. A defendant is permitted to withdraw his guilty plea under the PCRA if ineffective assistance of counsel caused the defendant to enter an involuntary plea of guilty[.] ... The voluntariness of the plea depends on whether counsel's advice was within the range of competence demanded of attorneys in criminal cases.

Commonwealth v. Orlando, 156 A.3d 1274, 1280 (Pa.Super. 2017) (citations and quotation marks omitted).

Under the PCRA, "[a]llegations of ineffectiveness in connection with the entry of a guilty plea will serve as a basis for relief only if the ineffectiveness caused [the petitioner] to enter an involuntary or unknowing plea."

Commonwealth v. Brown, 235 A.3d 387, 391 (Pa.Super. 2020), *appeal denied*, 666 Pa. 234, 251 A.3d 403 (2021) (citation omitted). "Where the defendant enters his plea on the advice of counsel, the voluntariness of the plea depends on whether counsel's advice was within the range of competence demanded of attorneys in criminal cases." ***Id.*** (citations omitted).

Our Rules of Criminal Procedure mandate that pleas are taken in open court and the court must conduct an on-the-record colloquy to ascertain

whether a defendant is aware of his rights and the consequences of his plea. ***Commonwealth v. Hodges***, 789 A.2d 764 (Pa.Super. 2002). Specifically, the court must affirmatively demonstrate a defendant understands: (1) the nature of the charges to which he is pleading guilty; (2) the factual basis for the plea; (3) his right to trial by jury; (4) the presumption of innocence; (5) the permissible ranges of sentences and fines possible; and (6) that the judge is not bound by the terms of any plea agreement unless the judge accepts the agreement. ***Commonwealth v. Watson***, 835 A.2d 786, 796-797 (Pa.Super. 2003). ***See also*** Pa.R.Crim.P. 590, *Comment*. Additionally, this Court may consider a written guilty plea as a supplement to an oral plea colloquy when evaluating the voluntariness of the plea. ***See Commonwealth v. Bedell***, 954 A.2d 1209 (Pa.Super. 2008), *appeal denied*, 600 Pa. 742, 964 A.2d 893 (2009).

This Court will evaluate the adequacy of the plea colloquy and the voluntariness of the resulting plea by examining the totality of the circumstances surrounding the entry of that plea. ***Commonwealth v. Muhammad***, 794 A.2d 378, 383 (Pa.Super. 2002). A guilty plea will be deemed valid if an examination of the totality of the circumstances surrounding the plea shows that the defendant had a full understanding of the nature and consequences of his plea such that he knowingly and intelligently entered the plea of his own accord. ***Commonwealth v. Rush***, 909 A.2d 805, 808 (Pa.Super. 2006).

Furthermore:

“A person who elects to plead guilty is bound by the statements he makes in open court while under oath and he may not later assert grounds for withdrawing the plea which contradict the statements he made at his colloquy.” ***Commonwealth v. Pollard***, 832 A.2d 517, 523 (Pa.Super. 2003) (citation omitted). In assessing the voluntariness of a guilty plea, we note “[t]he law does not require that appellant be pleased with the outcome of his decision to enter a plea of guilty: All that is required is that [appellant’s] decision to plead guilty be knowingly, voluntarily and intelligently made.” ***Commonwealth v. Yager***, [685 A.2d 1000, 1004 (Pa.Super. 1996)] (*en banc*) (citation and internal quotation marks omitted).

Commonwealth v. Alameda, 339 A.3d 504, 510 (Pa.Super. 2025), *appeal denied*, ___ Pa. ___, 353 A.3d 546 (2026). ***See also Commonwealth v. Fowler***, 893 A.2d 758 (Pa.Super. 2006) (holding that counsel’s statements to appellant about what she believed his likely sentence might be did not induce appellant’s guilty plea because any misconceptions appellant had about his possible sentence were dispelled by written and oral plea colloquies; although plea counsel testified that she believed sentence would be in certain range, counsel did not guarantee appellant any specific result; in addition, plea court told appellant maximum sentence he could face and that there was no agreement as to sentencing; moreover, there is no legal requirement that defendant be aware of guideline range to enter valid guilty plea; rather, defendant must be informed of statutory maximum, and appellant was given that information).

Instantly, prior to accepting Appellant’s guilty plea, the trial court

conducted an oral colloquy to ensure that Appellant could understand English, that he was not under the influence of drugs or alcohol, did not suffer from mental illness, and was satisfied with counsel's representation. In addition to this oral colloquy, the record contains a copy of the written guilty plea colloquy which Appellant signed. ***See Bedell, supra***. Notably, the PCRA court credited Plea Counsel's testimony that he went through each page of the guilty plea colloquy with Appellant and that he would never allow a client to sign a guilty plea colloquy that was not filled out. The written guilty plea colloquy expressly states that counsel explained the elements of the crimes to which Appellant was pleading guilty and stated: "I know I can go to jail for up to 25 years and be fined \$3.5k for the crimes I committed." (Written Guilty Plea Colloquy, at 1). Furthermore, the PCRA court found that Plea Counsel testified credibly that he would not make a promise to a client accepting an open plea. The record supports the PCRA court's credibility determinations, so we are bound by them. ***See Dennis, supra***. In addition, the written colloquy explains that there was no plea bargain or agreement of any kind except that the District Attorney would drop the remaining charges. (***See*** Written Guilty Plea Colloquy, at 1). The written colloquy explained Appellant's rights to trial by jury and the presumption of innocence. (***See id.*** at 2). At Appellant's plea hearing, the District Attorney set forth the factual basis for the plea. (***See*** N.T. Plea Hearing, 6/20/19, at 4). Furthermore, the PCRA court credited Plea Counsel's testimony that he explained the maximum sentences possible and

explained that there was no guarantee what sentence the trial court would impose.

Our review of the record makes clear that although Appellant and Plea Counsel hoped the trial court would impose a lower sentence, counsel did not guarantee a lower sentence, and Appellant was aware of the maximum sentence he faced.³ The written plea colloquy also informed Appellant of his right to a jury trial and the presumption of innocence and confirmed that he understood those rights and was giving them up by pleading guilty. (**See** Written Guilty Plea Colloquy, at 1-2). Although Plea Counsel gave Appellant an incorrect estimate of what he believed the possible sentence would be, any misconception that Appellant had about his expected sentence was dispelled by the written plea colloquy that informed him of the statutory maximum. **See Fowler, supra. See also Commonwealth v. Klink**, No. 886 WDA 2025, No. 1091 WDA 2025, unpublished memorandum at 6 (Pa.Super. filed Mar. 25, 2026) (applying **Fowler** and concluding that appellant's plea was entered knowingly, intelligently, and voluntarily where appellant was correctly informed as to statutory maximum); **Commonwealth v. O'Connor**, No. 1099 WDA 2022, unpublished memorandum at 3 (Pa.Super. filed Aug. 14, 2023), *appeal denied*, ___ Pa. ___, 317 A.3d 984 (2024) (applying **Fowler**

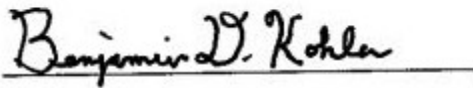
³ This Court considered the discretionary aspects of Appellant's sentence on direct appeal and found that the sentence imposed was not manifestly unreasonable. **See Young, supra.**

and concluding that appellant's ineffective assistance of counsel claim merited no relief where underlying claim that plea counsel advised appellant that she would receive substantially lower sentence did not render plea involuntary or unknowing even where sentence imposed was statutory maximum).

On this record, we cannot say that plea counsel induced Appellant to enter an unknowing, involuntary, or unintelligent guilty plea. **See Brown, supra.** Therefore, Appellant's ineffectiveness claim lacks arguable merit.⁴ **See Sandusky, supra.** Accordingly, we affirm.

Order affirmed.

Judgment Entered.

A handwritten signature in cursive script that reads "Benjamin D. Kohler". The signature is written in black ink and is positioned above a horizontal line.

Benjamin D. Kohler, Esq.
Prothonotary

Date: 9/29/2026

⁴ The PCRA court found that the underlying claim concerning Appellant's entry of an unknowing and involuntary plea had arguable merit; however, the court concluded that counsel had a reasonable basis to advise Appellant to enter a guilty plea, and Appellant did not establish that he was prejudiced by counsel's advice. Nevertheless, this Court may affirm the PCRA court's decision on any basis. **See Commonwealth v. McCready**, 295 A.3d 292, 297 (Pa.Super. 2023) (stating "we may affirm the decision of the [PCRA] court if there is any basis on the record to support the [PCRA] court's action; this is so even if we rely on a different basis in our decision to affirm").