

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 279 MAL 2025
	:	
Respondent	:	
	:	
v.	:	Petition for Allowance of Appeal
	:	from the Order of the Superior Court
	:	
	:	
JUAN ABEL SANTIAGO,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 13th day of November, 2025, the Petition for Allowance of Appeal is **GRANTED**. The issues, rephrased for clarity, are:

- (1) On direct examination of the defendant at trial, did trial counsel’s voluntary termination of the line of questioning concerning the defendant’s assertion of an alibi defense result in a structural error?
- (2) Under *Weaver v. Massachusetts*, 582 U.S. 286 (2017), does a claim of ineffectiveness of counsel concerning the alleged structural error require: (1) any showing of prejudice; (2) a conventional showing of prejudice, *i.e.*, a reasonable probability that, but for counsel’s act or omission, the outcome of the proceeding would have been different; or (3) a showing that the error rendered the trial fundamentally unfair?

This matter shall be listed for oral argument. Petitioner’s “Motion to Correct Petition for Allowance of Appeal” is **DENIED AS MOOT**.