

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

COMMONWEALTH OF PENNSYLVANIA,	:	No. 391 WAL 2018
	:	
Respondent	:	
	:	Petition for Allowance of Appeal from
v.	:	the Order of the Superior Court
	:	
	:	
JAMES CALVIN HAMLETT, JR.,	:	
	:	
Petitioner	:	

**ORDER**

**PER CURIAM**

**AND NOW**, this 13<sup>th</sup> day of February, 2019, the Petition for Allowance of Appeal is **GRANTED**. The issue, rephrased for clarity is:

Can the tension between the well-settled rule that the Commonwealth bears the burden of demonstrating harmless error beyond a reasonable doubt and the contradictory principle that an appellate court has the ability to affirm a valid judgment or verdict for any reason appearing as of record be reconciled? If these conflicting principles must be reconciled in favor of the Commonwealth proving harmlessness beyond a reasonable doubt, did the Superior Court err in finding harmless error *sua sponte*?