

**[J-16-2014]**  
**IN THE SUPREME COURT OF PENNSYLVANIA**  
**MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA, : No. 45 MAP 2012

Appellant

v.

AMY N. KOCH,

Appellee

:  
: Appeal from the Order of Superior Court at  
: No. 1669 MDA 2010, Dated September 16,  
: 2011, Reversing the Judgment of Sentence  
: of the Cumberland County Court of  
: Common Pleas, Criminal Division, at No.  
: CP-21-CR-2876-2009, Dated July 20,  
: 2010, and Remanding  
:  
:  
: ARGUED: October 16, 2012  
: RE-SUBMITTED: February 19, 2014

**ORDER**

**PER CURIAM**

**DECIDED: December 30, 2014**

**AND NOW**, this 30<sup>th</sup> day of December, 2014, the Court being evenly divided, the Order of the Superior Court is **AFFIRMED**.

Mr. Chief Justice Castille files an opinion in support of affirmance in which Mr. Justice Baer and Madame Justice Todd join.

Mr. Justice Saylor files an opinion in support of reversal.

Mr. Justice Eakin files an opinion in support of reversal in which Mr. Justice Stevens joins.