

**[J-33-2016] [MO: Dougherty, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 28 MAP 2015
	:	
Appellee	:	Appeal from the Order of the Superior
	:	Court dated September 18, 2014 at No.
	:	1659 MDA 2013 affirming the Judgment
v.	:	of Sentence of the Court of Common
	:	Pleas of Lancaster County, Criminal
	:	Division, dated August 16, 2013 at No.
THOMAS MICHAEL LUTZ-MORRISON,	:	CR-36-0003611-2012
	:	
Appellant	:	ARGUED: March 8, 2016

DISSENTING OPINION

JUSTICE TODD

DECIDED: August 15, 2016

I agree with the majority that this appeal is effectively controlled by today's decision in A.S. v. Pa. State Police, 24 MAP 2014, J-36-2016 (Pa. filed Aug. 15, 2016). In that case, I expressed my dissenting view that Megan's Law II's provision that "[a]n individual with two or more convictions of any of the offenses set forth in" 42 Pa.C.S. § 9795.1(a) "shall be subject to lifetime registration" as a sexual offender, 42 Pa.C.S. § 9795.1(b)(1), clearly and unambiguously provides that any individual who accrues multiple convictions of offenses set forth in Section 9795.1(a) is subject to lifetime registration as a sexual offender. See A.S., 24 MAP 2014, J-36-2016 (Todd, J., dissenting). In my view, SORNA's analogous provision, that an individual with "[t]wo or more convictions of offenses listed as Tier I or Tier II sexual offenses" is subject to lifetime registration, 42 Pa.C.S. §§ 9799.14(d)(16); see also 9799.15(a)(1)-(3), likewise clearly and unambiguously provides that any individual who accrues multiple

convictions of Tier I or Tier II sexual offenses must register for life. Accordingly, I respectfully dissent.