

[J-60-2022]
IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 15 WAP 2022
	:	
Appellant	:	Appeal from the Order of the
	:	Superior Court entered June 4,
v.	:	2021 at No. 251 WDA 2020,
	:	reversing the revocation of
	:	probation and parole and vacating
	:	the Judgment of Sentence of the
CHRISTOPHER ALBERT KOGER,	:	Court of Common Pleas of
	:	Washington County entered
Appellee	:	January 22, 2020 at No. CP-63-CR-
	:	0000233-2018.
	:	
	:	ARGUED: October 25, 2022

ORDER

PER CURIAM

AND NOW, this 23rd day of June, 2023, Appellee’s Application for Reargument is **DENIED**. The Commonwealth’s Petition for Clarification is **GRANTED**. The Court’s Opinion, filed May 16, 2023, is hereby amended at pages 18 and 19 of the slip opinion as follows (additions appear in bold underline; deletions appear in bold strikethrough):

~~Previously, Section 6132 contained~~ **Although there is** an exception to this rule, allowing a court “by special order [to] direct supervision by the [board], in which case the parole case shall be known as a special case and the authority of the [board] with regard thereto shall be the same as provided in this chapter[.]” ~~but the General Assembly eliminated this exception in 2021. 61 Pa.C.S. §6132(a)(2)(i) (deleted by 2021, June 30, Pub. L. 260, No. 59, §18). Regardless, though, 61 Pa.C.S. §6171(a)(4),~~ the trial court’s sentencing orders here unmistakably referred appellee’s parole supervision to the **county** probation office, and there was no “special order” directing supervision by the state Parole Board.

Chief Justice Todd and Justice Donohue note their dissent to the denial of Appellee’s Application for Reargument.