



CAPTION

Commonwealth of Pennsylvania, Office of Attorney General By Thomas W. Corbett, Jr.,
Attorney General, Appellant

v.

Locust Township and Locust Township Board of Supervisors, Appellees

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Closed

Journal Number: J-158A-2008 December 2, 2008

Case Category: Civil Case Type(s): Zoning/Land Use

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type
22 MAP 2007 Cross Appeal	Consolidated - Cross Appeal

COUNSEL INFORMATION

Attorney: Knorr, John G., III
PA Office of Attorney General

Address: Atty General Litigation Sect
15th Fl Strawberry Sq
Harrisburg, PA 17120

Phone No: (717) 787-1144

Representing: Commonwealth of Pennsylvania, Appellant

Pro Se: No

IFP Status:

Attorney: Killion, Michael Thomas

Address: Ofc Of Attorney General
15th Floor Strawberry Square
Harrisburg, PA 17120

Representing: Commonwealth of Pennsylvania, Appellant

Pro Se: No

IFP Status:

Attorney: Sherr, Anthony Randall
Mayers, Mennies & Sherr, L.L.P.

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Representing: Locust Township and Locust Township Board of Supervisors, Appellee

Pro Se: No

IFP Status:

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 14 MAP 2007

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May 28, 2017

SUPREME COURT INFORMATION

Appeal From: the ord of Comm Ct entered 01-25-2007 at No358MD2006 dismissing the
Petition for Review with prejudice.

Appeal Filed Below: 2/9/2007 12:00:00AM

Probable Jurisdiction Noted: February 28, 2007 Docketed Date: February 12, 2007

Allocatur/Miscellaneous Granted: Allocatur/Miscellaneous Docket No.:

Allocatur/Miscellaneous Grant Order:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
02/09/2007	Notice of Appeal	60.00	02/12/2007	2007-SUP-M-000202	60.00

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Docket Number:

Date of Order: Rearg/Recon Disp Date:

Rearg/Recon Disposition:

Judge(s):

Intermediate Appellate Court Action:

Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Commonwealth Court of Pennsylvania

County: Division: Commonwealth Court of Pennsylvania

Date of Agency/Trial Court Order: January 25, 2007

Order Type: Order

OTN(s):

Lower Ct Docket No(s): 358 MD 2006 358 MD 2006
358 MD 2006

Lower Ct Judge(s): Friedman, Rochelle S. Pellegrini, Dan
Judge
Smith-Ribner, Doris A.
Judge

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Original Record	March 01, 2007	1 Part

Record Remittal: May 22, 2009

BRIEFING SCHEDULE

Appellant	Appellee
Commonwealth of Pennsylvania	Locust Township and Locust Township Board of Supervisors
Brief	Brief
Due: April 23, 2007	Due: May 29, 2007
Filed: April 23, 2007	Filed: May 29, 2007
Reply Brief	Reply Brief



BRIEFING SCHEDULE

Appellant		Appellee	
Commonwealth of Pennsylvania		Locust Township and Locust Township Board of Supervisors	
Reply Brief		Reply Brief	
Due: July 2, 2007	Filed: June 29, 2007	Due: July 27, 2007	Filed: July 27, 2007
Reproduced Record			
Due: April 23, 2007	Filed: April 23, 2007		

REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date:
Disposition: Date:
Reargument Order:
Record Remittal: May 22, 2009

SESSION INFORMATION

Journal Number: J-158A-2008
Listed/Submitted Date: December 2, 2008
Consideration Type: Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No:	J-158A-2008	Judgment Date:	April 29, 2009
Category:	Decided	Disposition Author:	Baer, Max
Disposition:	Affirmed/Reversed/Remanded	Disposition Date:	April 29, 2009
Dispositional Filing:	Majority Opinion	Author:	Baer, Max
Filed Date:	April 29, 2009		
Justice:	Saylor, Thomas G.	Vote:	Joins
Justice:	Eakin, J. Michael	Vote:	Joins
Justice:	Todd, Debra	Vote:	Joins
Justice:	McCaffery, Seamus P.	Vote:	Joins
Dispositional Filing:	Concurring/Dissenting Statement	Author:	
Filed Date:	April 29, 2009		
Justice:	Castille, Ronald D.	Vote:	Join Concurring and Dissenting Opinion

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 9, 2007	Notice of Appeal	Appellant	Commonwealth of Pennsylvania



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 9, 2007	Jurisdictional Statement	Appellant	Commonwealth of Pennsylvania
Comments: Proof of Service - 02-09-2007 1st Class Mail			
February 23, 2007	No Brief in Opposition Letter Filed	Appellee	Locust Township and Locust Township Board of Supervisors
February 28, 2007	Probable Jurisdiction Noted		Johns, Charles W.
Comments: AND NOW, this 28th day of February, 2007, probable jurisdiction is noted.			
February 28, 2007	Order Exited		Office of the Prothonotary
March 1, 2007	Commonwealth Court Record Received		Commonwealth Court
March 6, 2007	Praeipce for Appearance Knorr III, John G. Commonwealth of Pennsylvania	Appellant	Knorr, John G., III
March 7, 2007	Praeipce for Withdrawal of Appearance Forney, Susan Jane Commonwealth of Pennsylvania	Appellant	Forney, Susan Jane
March 7, 2007	Praeipce for Withdrawal of Appearance Neuhauser, Gregory R. Commonwealth of Pennsylvania	Appellant	Neuhauser, Gregory R.
March 8, 2007	Designation of Contents of Reproduced Record	Appellant	Commonwealth of Pennsylvania
March 22, 2007	Application to Treat as Cross-Appeals	Appellant	Commonwealth of Pennsylvania
March 23, 2007	Order Granting Application for Relief		Johns, Charles W.
Comments: AND NOW, this 23rd day of March 2007, the Application To Treat Appeals as Cross-Appeals is granted; it is further ordered that the Attorney General is designated the Appellant for briefing purposes, that Appellant's brief and reproduced record are due to be filed on or before April 23, 2007, and briefing thereafter is to proceed in accordance with Pa. R.A.P. 2136(b) and 2185(a).			
March 23, 2007	Order Exited		Office of the Prothonotary
April 23, 2007	Appellant's Brief	Appellant	Commonwealth of Pennsylvania
Comments: Proof of Service - 004-23-2007 1st Class Mail			
April 23, 2007	Reproduced Record Filed	Appellant	Commonwealth of Pennsylvania



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
May 29, 2007	Appellee's Brief	Appellee	Locust Township and Locust Township Board of Supervisors
Comments: Proof of Service - 05-29-2007 1st Class Mail			
June 29, 2007	Appellant's Reply Brief	Appellant	Commonwealth of Pennsylvania
July 17, 2007	Reply Brief of Appellee's/Cross Appellants (Late)	Appellee	Locust Township and Locust Township Board of Supervisors
Comments: Proof of Service - 07-16-2007 1st Class Mail			
07/19/07 - Requested Petition for Leave to File Nunc Pro Tunc			
July 23, 2007	Application to File Appellees Reply Brief Nunc Pro Tunc	Appellee	Locust Township and Locust Township Board of Supervisors
July 27, 2007	Order Granting Appellee's Brief Nunc Pro Tunc		Johns, Charles W.
Comments: AND NOW, this 27th day of July, 2007, the Application to File Reply Brief Nunc Pro Tunc is granted. relief brief is deemed timely filed.			
July 27, 2007	Order Exited		Office of the Prothonotary
July 27, 2007	Appellee's Reply Brief	Appellee	Locust Township and Locust Township Board of Supervisors
April 30, 2008	Dispositional Memo Order Granting Argument		Per Curiam
Comments: AND NOW, this 30th day of April, 2008, oral argument is GRANTED.			
September 19, 2008	Acknowledgement of Argument Notice	Appellant	Commonwealth of Pennsylvania
Comments: Atty. John G. Knorr, III			
October 6, 2008	Acknowledgement of Argument Notice	Appellee	Locust Township and Locust Township Board of Supervisors
Comments: Atty. Anthony R. Sherr			
December 2, 2008	Argued		Supreme Court



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 29, 2009	Affirmed/Reversed/Remanded		Baer, Max
Comments: We affirm the Commonwealth Court order inasmuch as it overruled the Township's preliminary objection to the Commonwealth Court's subject matter jurisdiction. We reverse the order of the Commonwealth Court to the extent that it dismissed the Attorney General's petition for review and granted the Township's preliminary objection that there is no ripe case or controversy, and remand for further proceedings.			
Messrs. Justice Saylor and Eakin, Madame Justice Todd and Mr. Justice McCaffery join the opinion. Madame Justice Greenspan files a concurring and dissenting opinion in which Mr. Chief Justice Castille joins.			
April 29, 2009	Judgment Entered		Office of the Prothonotary
May 22, 2009	Remitted		Office of the Prothonotary
Comments: Original Record remitted to Commonwealth Court.			
May 27, 2009	Acknowledgement of Record Remittal		Commonwealth Court