Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 11 WAP 2024

November 26, 2026

CAPTION

Commonwealth of Pennsylvania, Appellee
v.
Brendan Alexander Linton, Appellant

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Closed
Journal Number: J-72-2024 October 10, 2024

Case Category: Criminal
Case Type(s): Summary Offense/Conviction

CONSOLIDATED CASES

RELATED CASES

Docket No / Reason	Type
35 WAL 2026 Same Issue(s) Commonwealth v. Linton, B., Pet.	Related

COUNSEL INFORMATION

Attorney: Woods, Ashley Nicole
Woods Law Offices PLLC
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Ste 210
Moon Township, PA 15108
Phone No: (412) 329-7751
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Receive EMail: Yes Email:
Representing: Linton, Brendan Alexander, Appellant
Pro Se: No
IFP/Waiver:

Attorney: Woods, Corrie Allen
Woods Law Offices PLLC
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Receive Mail: Yes
Receive EMail: Yes Email:
Representing: Linton, Brendan Alexander, Appellant
Pro Se: No
IFP/Waiver:

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COUNSEL INFORMATION

Attorney:	Goldinger, Richard Aaron
	Butler County District Attorney's Office
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	Butler, PA 16003
Phone No:	(724) 284-5222
Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Commonwealth of Pennsylvania, Appellee
Pro Se:	No
IFP/Waiver:	

Attorney:	Calve, Andrew David
	Butler County Courthouse
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	Butler, PA 16003
Phone No:	(724) 284-5222
Receive Mail:	Yes
Representing:	Commonwealth of Pennsylvania, Appellee
Pro Se:	No
IFP/Waiver:	

Attorney:	Kulzer, John Paul, III
	Butler County District Attorney's Office
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	Butler, PA 16003
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Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Commonwealth of Pennsylvania, Appellee
Pro Se:	No
IFP/Waiver:	

Attorney:	Davis, Eric Stephan
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Phone No:	(412) 326-0467
Receive Mail:	Yes
Representing:	BikePGH and League of American Bicyclists, Amicus Curiae
Pro Se:	No
IFP/Waiver:	

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SUPREME COURT INFORMATION

Appeal From: the Order of the Superior Court entered July 21, 2023, at No. 747 WDA 2022, affirming the Judgment of Sentence of the Court of Common Pleas of Butler County entered May 26, 2022, at No. CP-10-CR-0001351-2021.

Probable Jurisdiction Noted:

Docketed Date: April 2, 2024

Allocatur/Miscellaneous Granted: April 2, 2024

Allocatur/Miscellaneous Docket No.: 261 WAL 2023

Allocatur/Miscellaneous Grant Order: AND NOW, this 2nd day of April, 2024, the Petition for Allowance of Appeal is GRANTED. The issue, as stated by petitioner, is:
Section 3364(b)(2) of the Vehicle Code requires individuals operating pedalcycles to "use reasonable efforts so as not to impede the normal and reasonable movement of traffic." Does a proper construction of the Vehicle
Code inform the meaning of reasonable efforts and foreclose any interpretation that it includes leaving the roadway whenever faster moving traffic approaches or backs up, which would effectively prohibit operation of
pedalcycles on most roadways and/or endanger those operating them throughout the Commonwealth?

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
06/30/2025	Petition for Reargument	15.00	06/30/2025	2025-SUP-W-002671	15.00

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Superior

Docket Number: 747 WDA 2022

Date of Order: July 21, 2023

Rearg/Recon Disp Date: September 29, 2023

Rearg/Recon Disposition: Denied.

Judge(s): Stabile, Victor P.
Sullivan, Megan
Pellegrini, Dan

Intermediate Appellate Court Action: Affirmed.

Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Butler County Court of Common Pleas

County: Butler

Division: Butler County Criminal Division

Date of Agency/Trial Court Order: May 26, 2022

Docket Number: CP-10-CR-0001351-2021

Judge(s): McCune, Timothy F.

OTN: R 162452-3

Order Type: Judgment of Sentence

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Original Record	April 02, 2024	1 Part including 1925(a) Opinion and Testimony

Record Remittal: August 13, 2025

BRIEFING SCHEDULE

Amicus Curiae
BikePGH and League of American Bicyclists
Brief

Appellee
Commonwealth of Pennsylvania
Brief

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BRIEFING SCHEDULE

Amicus Curiae
BikePGH and League of American Bicyclists
Brief
Due: June 12, 2024 Filed: June 12, 2024

Appellee
Commonwealth of Pennsylvania
Brief
Due: August 12, 2024 Filed: August 9, 2024

Appellant
Linton, Brendan Alexander
Brief
Due: June 12, 2024 Filed: June 12, 2024

Reply Brief
Due: August 26, 2024 Filed: August 16, 2024

Reproduced Record
Due: June 12, 2024 Filed: June 12, 2024

REARGUMENT / RECONSIDERATION / REMITTAL

Filed Date:	June 30, 2025		
Disposition:	Order Denying Application for Reconsideration/Reargument	Date:	August 13, 2025
Reargument Order:	AND NOW, this 13th day of August, 2025, the Application for Reargument is DENIED.		
Record Remittal:	August 13, 2025		

SESSION INFORMATION

Journal Number:	J-72-2024
Listed/Submitted Date:	October 10, 2024
Consideration Type:	Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No:	J-72-2024	Judgment Date:	June 17, 2025
Category:	Decided	Disposition Author:	Dougherty, Kevin M.
Disposition:	Reversed/Remanded	Disposition Date:	June 17, 2025
Dispositional Filing:	**Majority Opinion**	Author:	Dougherty, Kevin M.
Filed Date:	June 17, 2025		

Justice:	Todd, Debra	Vote:	Join Majority Opinion
Justice:	Donohue, Christine	Vote:	Join Majority Opinion
Justice:	Mundy, Sallie U.	Vote:	Join Majority Opinion
Justice:	Brobson, P. Kevin	Vote:	Join Majority Opinion

Dispositional Filing:	**Dissenting Opinion**	Author:	McCaffery, Daniel D.
Filed Date:	June 17, 2025		

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DISPOSITION INFORMATION

Justice:	Wecht, David N.	Vote:	Join Dissenting Opinion

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 2, 2024	**Allocatur Granted**		Per Curiam

Comments:
AND NOW, this 2nd day of April, 2024, the Petition for Allowance of Appeal is GRANTED. The issue, as stated by petitioner, is:
Section 3364(b)(2) of the Vehicle Code requires individuals operating pedalcycles to "use reasonable efforts so as not to impede the normal and reasonable movement of traffic." Does a proper construction of the Vehicle
Code inform the meaning of reasonable efforts and foreclose any interpretation that it includes leaving the roadway whenever faster moving traffic approaches or backs up, which would effectively prohibit operation of
pedalcycles on most roadways and/or endanger those operating them throughout the Commonwealth?

April 2, 2024	**Superior Court Record Received**		Superior Court of Pennsylvania
May 10, 2024	**Application for Extension of Time to File Brief - First Request**	Appellant	Linton, Brendan Alexander
May 13, 2024	**Order Granting Application for Extension of Time to File Appellant Brief**		Ceraso, Betsy

Comments:
AND NOW, this 13th day of May, 2024, the application for extension of time is GRANTED. The Appellant's brief shall be served and filed on or before June 12, 2024.

May 13, 2024	**Order Exited**		Office of the Prothonotary
June 12, 2024	**BikePGH and League of American Bicyclists Brief**	Amicus Curiae	BikePGH and League of American Bicyclists
June 12, 2024	**Appellant's Brief**	Appellant	Linton, Brendan Alexander
June 12, 2024	**Appellant's Reproduced Record Filed**	Appellant	Linton, Brendan Alexander
July 11, 2024	**Application for Extension of Time to File Brief - First Request**	Appellee	Commonwealth of Pennsylvania
July 12, 2024	**Order Granting Application for Extension of Time to File Appellee Brief**		Ceraso, Betsy

Comments:
AND NOW, this 12th day of July, 2024, the application for extension of time is GRANTED. The Appellee's brief shall be served and filed on or before August 12, 2024.

July 12, 2024	**Order Exited**		Office of the Prothonotary

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
August 9, 2024	**Appellee's Brief**		
		Appellee	Commonwealth of Pennsylvania
August 15, 2024	**Acknowledgement of Argument Notice**		
	Linton, Brendan Alexander	Appellant	Woods, Corrie Allen
August 16, 2024	**Appellant's Reply Brief**		
		Appellant	Linton, Brendan Alexander
August 19, 2024	**Acknowledgement of Argument Notice**		
	Commonwealth of Pennsylvania	Appellee	Kulzer, John Paul, III
October 10, 2024	**Argued**		
	Linton, Brendan Alexander	Appellant	Woods, Corrie Allen
	Commonwealth of Pennsylvania	Appellee	Kulzer, John Paul, III
February 21, 2025	**Substitution of Counsel**		
	Linton, Brendan Alexander	Appellant	Woods, Corrie Allen
June 17, 2025	**Reversed/Remanded**		
			Dougherty, Kevin M.

Comments:
Having now supplied the proper construction of the statute, "we reverse the order of the Superior Court and remand . . . for it to reconsider the sufficiency of the evidence claim utilizing the proper legal standard." Commonwealth v. Sanford, 863 A.2d 428, 432 (Pa. 2004); see Commonwealth v. Clay, 64 A.3d 1049, 1057 (Pa. 2013) ("When a reviewing court applies the incorrect legal standard, our [C]ourt generally will remand the matter with appropriate directions.").
Jurisdiction relinquished.
Chief Justice Todd and Justices Donohue, Mundy and Brobson join the opinion.
Justice McCaffery files a dissenting opinion in which Justice Wecht joins.

June 17, 2025	**Judgment Entered**		
			Office of the Prothonotary
June 30, 2025	**Application for Reargument**		
		Appellant	Linton, Brendan Alexander
July 7, 2025	**Praecipe for Appearance**		
	Commonwealth of Pennsylvania	Appellee	Calve, Andrew David
July 7, 2025	**No Answer Letter**		
		Appellee	Commonwealth of Pennsylvania
August 13, 2025	**Order Denying Application for Reconsideration/Reargument**		
			Per Curiam

Comments:
AND NOW, this 13th day of August, 2025, the Application for Reargument is DENIED.

August 13, 2025	**Order Exited**		
			Office of the Prothonotary
August 13, 2025	**Remitted to Superior Court**		
			Office of the Prothonotary

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
August 18, 2025	**Acknowledgement of Record Remittal**		Superior Court of Pennsylvania

CROSS COURT ACTIONS

Docket Number:	261 WAL 2023
Docket Number:	35 WAL 2026
Docket Number:	747 WDA 2022

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