

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 11 WAP 2024

Page 1 of 7

August 25, 2025

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

COUNSEL INFORMATION

Attorney: Woods, Ashley Nicole

Woods Law Offices PLLC

Address: 200 Commerce Dr

Ste 210

Moon Township, PA 15108

Phone No: (412) 329-7751

Yes

Receive EMail: Yes

Email:

Representing: Linton, Brendan Alexander, Appellant

Pro Se: ☐ No ☒

IFP Status:

Attorney: Woods, Corrie Allen

Woods Law Offices PLLC

Address: 200 Commerce Dr Ste 210

Moon Township, PA 15108

Phone No: (412) 329-7751

Yes

Receive EMail: Yes

Email:

Representing: Linton, Brendan Alexander, Appellant

Pro Se: No

IFP Status:

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 11 WAP 2024

Page 2 of 7

August 25, 2025

COUNSEL INFORMATION

Attorney: Goldinger, Richard Aaron
 Butler County District Attorney's Office
 Address: Butler County Government Center
 124 W. Diamond St.
 P.O. Box 1208
 Butler, PA 16003
 Phone No: (724) 284-5222
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Commonwealth of Pennsylvania, Appellee
 Pro Se: No
 IFP Status:

Attorney: Calve, Andrew David
 Butler County Courthouse
 Address: 124 W Diamond St
 Butler, PA 16003
 Phone No: (724) 591-6093
 Receive Mail: Yes
 Representing: Commonwealth of Pennsylvania, Appellee
 Pro Se: No
 IFP Status:

Attorney: Kulzer, John Paul, III
 Butler County District Attorney's Office
 Address: Third Floor County Government Center
 124 W Diamond St
 Butler, PA 16003
 Phone No: (724) 284-5222
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Commonwealth of Pennsylvania, Appellee
 Pro Se: No
 IFP Status:

Attorney: Davis, Eric Stephan
 Elliott & Davis, PC
 Address: Elliott & Davis Pc
 6425 Living Pl Ste 200
 Pittsburgh, PA 15206
 Phone No: (412) 326-0467
 Receive Mail: Yes
 Representing: BikePGH and League of American Bicyclists, Amicus Curiae
 Pro Se: No
 IFP Status:

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 11 WAP 2024

Page 3 of 7

August 25, 2025

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	Appellee
BikePGH and League of American Bicyclists	Commonwealth of Pennsylvania
Brief	Brief

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 11 WAP 2024

Page 4 of 7

August 25, 2025

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

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 11 WAP 2024

Page 5 of 7

August 25, 2025

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
----------------------	---------------------	--	----------------------------

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 11 WAP 2024

Page 6 of 7

August 25, 2025

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 Commonwealth of Pennsylvania	Appellant Appellee	Woods, Corrie Allen 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

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 11 WAP 2024

Page 7 of 7

August 25, 2025

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: 747 WDA 2022