



CAPTION

Commonwealth of Pennsylvania, Appellee

v.

Derek Lee, Appellant

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Closed

Journal Number: J-60-2024 October 8, 2024

Case Category: Criminal Case Type(s): Murder 2
Criminal Conspiracy
Robbery

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney: Cozzens, Quinn Alexander
Abolitionist Law Center

Address: Po Box 23032
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Phone No: (717) 419-6583

Receive Mail: Yes

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Representing: Lee, Derek, Appellant

Pro Se: No

IFP Status:

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Representing: Lee, Derek, Appellant

Pro Se: No

IFP Status:



COUNSEL INFORMATION

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 Representing: Lee, Derek, Appellant
 Pro Se: No
 IFP Status:

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 Representing: Lee, Derek, Appellant
 Pro Se: No
 IFP Status:

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 Ste 306
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Lee, Derek, Appellant
 Pro Se: No
 IFP Status:

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 Representing: Lee, Derek, Appellant
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: Pokharel, Astha Sharma
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 Receive Mail: Yes
 Representing: Lee, Derek, Appellant
 Pro Se: No
 IFP Status:

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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Lee, Derek, Appellant
 Pro Se: No
 IFP Status:

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 Receive Mail: Yes
 Representing: Lee, Derek, Appellant
 Pro Se: No
 IFP Status:

Attorney: Wabby, Ronald Michael, Jr.
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 Phone No: (412) 350-4400
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Commonwealth of Pennsylvania, Appellee
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: McCarthy, Kevin Francis
 Allegheny County District Attorney's Office
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 436 Grant Street
 Pittsburgh, PA 15219-2400
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Commonwealth of Pennsylvania, Appellee
 Pro Se: No
 IFP Status:

Attorney: Bady, Kyle
 White & Case LLP
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 Phone No: (646) 413-8355
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Avis Lee, et al., Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Bookman, Marc Alan
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Trusty, Celeste, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Brooks, Cheryl Ann
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 1441 Sansom St
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 Receive EMail: Yes Email:
 Representing: Defender Association of Philadelphia, Amicus Curiae
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: Brown, Vanessa Marie
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 2222 Market St
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 Phone No: (508) 367-1937
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Fred T. Korematsu Center for Law and Equality, Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: NAACP Legal Defense and Educational Fund, Inc., Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: The Antiracism and Community Lawyering Practicum at Boston University School of Law ,
 Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Campbell, Lisa Susanne
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Philadelphia Lawyers for Social Equity, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Cioschi, Jonathan David
 Wiseman, Schwartz, Cioschi & Trama
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Family Members and Loved Ones of Victims Killed by Murder, Amicus Curiae
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: Davy, James Patrick
 All Rise Trial & Appellate
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Executives Transforming Probation and Parole, Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: Little, George, Amicus Curiae
 Pro Se: No
 IFP Status:
 Representing: Wetzel, John, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Eisenberg, Ronald
 Address: Pennsylvania Attorney General's Office
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 Receive EMail: Yes Email:
 Representing: Pennsylvania Office of Attorney General, Philadelphia, PA, Amicus Curiae
 Pro Se: No
 IFP Status:

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 201 W Front St
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 Representing: Pennsylvania District Attorneys Association, Amicus Curiae
 Pro Se: No
 IFP Status:

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 Representing: Shapiro, Gov. Josh, Amicus Curiae
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Juvenile Law Center, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Lin, Susan Mon-Yi
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 Receive EMail: Yes Email:
 Representing: Eighth Amendment Scholars, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Lopez, Rachel Elizabeth
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 3320 Market St
 Philadelphia, PA 19104
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: U.N. Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement (EMLER),
 Amicus Curiae
 Pro Se: No
 IFP Status:

Pro Se: McIntyre, Kenneth
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 Receive Mail: Yes
 Pro Se: McIntyre, Kenneth, Amicus Curiae
 Pro Se: Yes
 IFP Status:



COUNSEL INFORMATION

Attorney: Merrigan, Jennifer Allison
 Phillips Black, Inc.
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Pennsylvania Prison Society, et al., Amicus Curiae
 Pro Se: No
 IFP Status:

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 Receive Mail: Yes
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 Pro Se: No
 IFP Status:

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 IFP Status:

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 Receive Mail: Yes
 Representing: Former Judges and Prosecutors of Pennsylvania, Amicus Curiae
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Pro Se: POWER
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 Pro Se: POWER, Amicus Curiae
 Pro Se: Yes
 IFP Status:

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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: The Sentencing Project, et al., Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Walczak, Witold J.
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 Receive EMail: Yes Email:
 Representing: ACLU of Pennsylvania, Pittsburgh, Amicus Curiae
 Pro Se: No
 IFP Status:

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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: The Pennsylvania Innocence Project, Amicus Curiae
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

Attorney: Wright, Alexander Brening
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Criminologists and Law Professors, Amicus Curiae
 Pro Se: No
 IFP Status:

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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Juvenile Law Center, Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Casey, Elizabeth Mary
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 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: The Sentencing Project, et al., Amicus Curiae
 Pro Se: No
 IFP Status:

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 Phone No: (215) 625-0551
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Juvenile Law Center, Amicus Curiae
 Pro Se: No
 IFP Status:



COUNSEL INFORMATION

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Pro Se: No

IFP Status:

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Phone No: (215) 625-0551

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Juvenile Law Center, Amicus Curiae

Pro Se: No

IFP Status:

SUPREME COURT INFORMATION

Appeal From: the Order of the Superior Court entered June 13, 2023, at No. 1008 WDA 2021, Affirming the Order of the Court of Common Pleas of Allegheny County entered December 19, 2016, at No. CP-02-CR-0016878-2014.

Probable Jurisdiction Noted: Docketed Date: February 16, 2024

Allocatur/Miscellaneous Granted: February 16, 2024 Allocatur/Miscellaneous Docket No.: 180 WAL 2023

Allocatur/Miscellaneous Grant Order: AND NOW, this 16th day of February, 2024, the Petition for Allowance of Appeal is GRANTED, LIMITED TO the issues set forth below. Allocatur is DENIED as to all remaining issues. The issues, as stated by Petitioner, are:

(1) Is [Petitioner's] mandatory sentence of life imprisonment with no possibility of parole unconstitutional under Article I, § 13 of the Constitution of Pennsylvania where he was convicted of second-degree murder in which he did not kill or intend to kill and therefore had categorically-diminished culpability, and where Article I, § 13 should provide better protections in those circumstances than the Eighth Amendment to the U.S. Constitution?

(2) Is [Petitioner's] mandatory sentence of life imprisonment with no possibility of parole unconstitutional under the Eighth Amendment to the U.S. Constitution where he was convicted of second-degree murder in which he did not kill or intend to kill and therefore had categorically-diminished culpability under the Eighth Amendment?

The Applications for Leave to File Amicus Briefs in support of Petition for Allowance of Appeal filed by Scholars of Eighth Amendment Law; The Boston University Center for Antiracist Research, Fair and Just Prosecution, and FAMM; Former Department of Corrections Secretaries John Wetzel and George Little; and Roderick and Solange MacArthur Justice Center and American Civil Liberties Union are GRANTED.

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
06/20/2024	2nd Motion for Extension of Time	10.00	10/03/2024	2024-SUP-W-002345	10.00



INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Superior Docket Number: 1008 WDA 2021
 Date of Order: June 13, 2023 Rearg/Recon Disp Date:
 Rearg/Recon Disposition:
 Judge(s): Olson, Judith F.
 Dubow, Alice B.
 Colins, James G.
 Intermediate Appellate Court Action: Affirmed.
 Referring Court:

AGENCY/TRIAL COURT INFORMATION

Court Below: Allegheny County Court of Common Pleas
 County: Allegheny Division: Allegheny County Criminal Division
 Date of Agency/Trial Court Order: December 19, 2016
 Docket Number: CP-02-CR-0016878-2014
 Judge(s): Howsie, Elliot C. OTN: G 694614-4
 Order Type: Judgment of Sentence

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Original Record	February 16, 2024	**Original Record Electronically Filed**

Record Remittal: April 14, 2026

BRIEFING SCHEDULE

Amicus Curiae
Avis Lee, et al.
Brief

Due: Filed: April 26, 2024

Appellee
Commonwealth of Pennsylvania
Brief

Due: June 28, 2024 Filed: June 28, 2024

Criminologists and Law Professors
Brief

Due: Filed: April 26, 2024

Defender Association of Philadelphia
Brief

Due: Filed: April 22, 2024

Eighth Amendment Scholars
Brief

Due: Filed: April 26, 2024

Executives Transforming Probation and Parole
Brief

Due: Filed: April 26, 2024



BRIEFING SCHEDULE

Amicus Curiae

**Family Members and Loved Ones of Victims Killed by
Murder
Brief**

Due: Filed: April 26, 2024

**Former Judges and Prosecutors of Pennsylvania
Brief**

Due: Filed: April 26, 2024

**Fred T. Korematsu Center for Law and Equality
Brief**

Due: Filed: April 26, 2024

**Juvenile Law Center
Brief**

Due: Filed: April 26, 2024

**Little, George
Brief**

Due: Filed: April 26, 2024

**McIntyre, Kenneth
Brief**

**NAACP Legal Defense and Educational Fund, Inc.
Brief**

Due: Filed: April 26, 2024

**Pennsylvania District Attorneys Association
Brief**

Due: Filed: June 28, 2024

**Pennsylvania Office of Attorney General, Philadelphia,
PA
Brief**

Due: July 26, 2024 Filed: July 26, 2024

**Pennsylvania Prison Society, et al.
Brief**

Due: Filed: April 26, 2024

**Philadelphia District Attorney's Office
Brief**

Due: Filed: April 25, 2024

**Philadelphia Lawyers for Social Equity
Brief**

Due: Filed: April 26, 2024



BRIEFING SCHEDULE

Amicus Curiae

Philadelphia Lawyers for Social Equity

POWER

Brief

Due: Filed: April 26, 2024

Shapiro, Gov. Josh

Brief

Due: Filed: April 26, 2024

**The Antiracism and Community Lawyering Practicum
at Boston University School of Law**

Brief

Due: Filed: April 26, 2024

The Pennsylvania Innocence Project

Brief

Due: Filed: April 26, 2024

The Sentencing Project, et al.

Brief

Due: Filed: April 26, 2024

Trusty, Celeste

Brief

Due: Filed: April 24, 2024

**U.N. Expert Mechanism to Advance Racial Justice and
Equality in Law Enforcement (EMLER)**

Brief

Due: Filed: April 26, 2024

Wetzel, John

Brief

Due: Filed: April 26, 2024

Youth Sentencing & Reentry Project

Brief

Due: Filed: April 26, 2024

Appellant

Lee, Derek

Brief

Due: April 26, 2024 Filed: April 26, 2024

Reply Brief

Due: July 12, 2024 Filed: July 12, 2024

Reproduced Record



BRIEFING SCHEDULE

Appellant

Lee, Derek

Reproduced Record

Due: April 26, 2024

Filed: April 26, 2024

SESSION INFORMATION

Journal Number: J-60-2024
 Listed/Submitted Date: October 8, 2024
 Consideration Type: Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No: J-60-2024 Judgment Date: March 26, 2026

Category: Decided Disposition Author: Todd, Debra

Disposition: Reversed/Vacated/Remanded Disposition Date: March 26, 2026

Dispositional Filing: **Majority Opinion** Author: Todd, Debra

Filed Date: March 26, 2026

Justice: Donohue, Christine Vote: Joins

Justice: Dougherty, Kevin M. Vote: Joins

Justice: Wecht, David N. Vote: Joins

Justice: McCaffery, Daniel D. Vote: Joins

Dispositional Filing: **Concurring Opinion** Author: Mundy, Sallie U.

Filed Date: March 26, 2026

Dispositional Filing: **Concurring Opinion** Author: Wecht, David N.

Filed Date: March 26, 2026

Dispositional Filing: **Concurring Opinion** Author: Dougherty, Kevin M.

Filed Date: March 26, 2026

Justice: McCaffery, Daniel D. Vote: Joins

Dispositional Filing: **Concurring/Dissenting Opinion** Author: Brobson, P. Kevin

Filed Date: March 26, 2026

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 16, 2024	Allocatur Granted		Per Curiam
Comments: AND NOW, this 16th day of February, 2024, the Petition for Allowance of Appeal is GRANTED, LIMITED TO the issues set forth below. Allocatur is DENIED as to all remaining issues. The issues, as stated by Petitioner, are:			
(1) Is [Petitioner's] mandatory sentence of life imprisonment with no possibility of parole unconstitutional under Article I, § 13 of the Constitution of Pennsylvania where he was convicted of second-degree murder in which he did not kill or intend to kill and therefore had categorically-diminished culpability, and where Article I, § 13 should provide better protections in those circumstances than the Eighth Amendment to the U.S. Constitution?			
(2) Is [Petitioner's] mandatory sentence of life imprisonment with no possibility of parole unconstitutional under the Eighth Amendment to the U.S. Constitution where he was convicted of second-degree murder in which he did not kill or intend to kill and therefore had categorically-diminished culpability under the Eighth Amendment?			
The Applications for Leave to File Amicus Briefs in support of Petition for Allowance of Appeal filed by Scholars of Eighth Amendment Law; The Boston University Center for Antiracist Research, Fair and Just Prosecution, and FAMM; Former Department of Corrections Secretaries John Wetzel and George Little; and Roderick and Solange MacArthur Justice Center and American Civil Liberties Union are GRANTED.			
February 16, 2024	Superior Court Record Received		Office of the Prothonotary
February 29, 2024	Application for Extension of Time to File Brief - First Request	Appellant	Lee, Derek
March 1, 2024	Order Granting Application for Extension of Time to File Brief and Reproduced Record		Ceraso, Betsy
Comments: AND NOW, this 1st day of March, 2024, the application for extension of time is GRANTED. The Appellant's brief and reproduced record shall be served and filed on or before April 26, 2024.			
March 1, 2024	Order Exited		Office of the Prothonotary
March 27, 2024	Designation of Contents of Reproduced Record	Appellant	Lee, Derek
March 28, 2024	Application to be Admitted Pro Hac Vice (Astha Sharma Pokharel)	Lee, Derek Appellant	Cozzens, Quinn Alexander
March 28, 2024	Application to be Admitted Pro Hac Vice (Pardiss Kebriaei)	Lee, Derek Appellant	Cozzens, Quinn Alexander
March 28, 2024	Application to be Admitted Pro Hac Vice (Samah Sisay)	Lee, Derek Appellant	Cozzens, Quinn Alexander
April 22, 2024	Defenders Association of Philadelphia Brief	Amicus Curiae	Defender Association of Philadelphia
April 24, 2024	Brandon Flood & Celeste Trusty Brief	Amicus Curiae	Trusty, Celeste



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 25, 2024	Praecepte for Appearance Lee, Derek	Appellant	Holston, Nia Olivia Naheelah
April 25, 2024	Certificate of Service Filed	Appellant	Lee, Derek
April 25, 2024	Philadelphia District Attorney's Office Brief	Amicus Curiae	Philadelphia District Attorney's Office
April 26, 2024	Scholars of Eighth Amendment Law Brief	Amicus Curiae	Eighth Amendment Scholars
April 26, 2024	The Sentencing Project, et al Brief	Amicus Curiae	The Sentencing Project, et al.
April 26, 2024	Order Granting Application to be Admitted Pro Hac Vice - Pardiss Kebriaei		Ceraso, Betsy
	Comments: AND NOW, this 26th day of April, 2024, the application for the admission pro hac vice of Pardiss Kebriaei, Esquire is GRANTED.		
April 26, 2024	Order Exited		Office of the Prothonotary
April 26, 2024	Order Granting Application to be Admitted Pro Hac Vice - Astha Sharma Pokarel		Ceraso, Betsy
	Comments: AND NOW, this 26th day of April, 2024, the application for the admission pro hac vice of Astha Sharma Pokharel, Esquire is GRANTED.		
April 26, 2024	Order Exited		Office of the Prothonotary
April 26, 2024	Order Granting Application to be Admitted Pro Hac Vice - Samah Sisay		Ceraso, Betsy
	Comments: AND NOW, this 26th day of April, 2024, the application for the admission pro hac vice of Samah Sisay, Esquire is GRANTED.		
April 26, 2024	Order Exited		Office of the Prothonotary
April 26, 2024	UN Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement Brief	Amicus Curiae	U.N. Expert Mechanism to Advance Racial Justice and Equality in Law Enforcement (EMLER)
April 26, 2024	Criminologists and Law Professors Brief	Amicus Curiae	Criminologists and Law Professors



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 26, 2024	John Wetzel & George Little & Executives Transforming Probation & Parole Brief	Amicus Curiae Amicus Curiae Amicus Curiae	Wetzel, John Little, George Executives Transforming Probation and Parole
April 26, 2024	Appellant's Brief	Appellant	Lee, Derek
April 26, 2024	Appellant's Reproduced Record Filed	Appellant	Lee, Derek
April 26, 2024	Family Members and Loved Ones of Victims Killed by Murder Brief	Amicus Curiae	Family Members and Loved Ones of Victims Killed by Murder
April 26, 2024	Juvenile Law Center, Youth Sentencing & Reentry Project & Philadelphia Lawyers for Social Brief	Amicus Curiae Amicus Curiae Amicus Curiae	Juvenile Law Center Youth Sentencing & Reentry Project Philadelphia Lawyers for Social Equity
April 26, 2024	Pennsylvania Prison Society, et al. Brief	Amicus Curiae	Pennsylvania Prison Society, et al.
April 26, 2024	The Antiracism & Community Lawyering Practicum at Boston University et al. Brief	Amicus Curiae Amicus Curiae Amicus Curiae	NAACP Legal Defense and Educational Fund, Inc. The Antiracism and Community Lawyering Practicum at Boston University School of Law Fred T. Korematsu Center for Law and Equality
April 26, 2024	The Pennsylvania Innocence Project Brief	Amicus Curiae	The Pennsylvania Innocence Project
April 26, 2024	Avis Lee, Et al. Brief	Amicus Curiae	Avis Lee, et al.
April 26, 2024	POWER - Brief	Amicus Curiae	POWER
April 26, 2024	Govenor Josh Shapiro - Brief	Amicus Curiae	Shapiro, Gov. Josh
April 26, 2024	Former Judges and Prosecutors of Pennsylvania - Brief	Amicus Curiae	Former Judges and Prosecutors of Pennsylvania



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
May 24, 2024	Application for Extension of Time to File Brief - First Request	Appellee	Commonwealth of Pennsylvania
May 24, 2024	Order Granting Application for Extension of Time to File Appellee Brief		Gorman, Kaitlin A.
Comments: AND NOW, this 24th day of May, 2024, the "Petition for Extension of Time" is GRANTED. Appellee's brief is now due in this Court on or before June 28, 2024.			
June 6, 2024	Application for Leave to File Amicus Brief Nunc Pro Tunc	Amicus Curiae	Hudson, Bert
June 20, 2024	Application for Extension of Time to File Brief - Second Request	Appellee	Commonwealth of Pennsylvania
June 24, 2024	Answer to Application for Extension of Time to File Brief	Appellant	Lee, Derek
June 28, 2024	Pennsylvania District Attorneys Association Amicus Brief	Amicus Curiae	Pennsylvania District Attorneys Association
June 28, 2024	Appellee's Brief	Appellee	Commonwealth of Pennsylvania
July 1, 2024	Order Dismissing Application for Extension of Time as Moot		Ceraso, Betsy
Comments: AND NOW, this 1st day of July, 2024, the Commonwealth of Pennsylvania's Petition for Extension of Time filed June 20, 2024, is dismissed as moot.			
July 1, 2024	Order Exited		Office of the Prothonotary
July 1, 2024	Application for Nunc Pro Tunc Extension of Time to File Amicus Brief	Amicus Curiae	Pennsylvania Office of Attorney General, Philadelphia, PA
July 2, 2024	No Answer Letter to Application for Extension of Time to File Brief	Appellant	Lee, Derek
July 12, 2024	Order Denying Application for Leave to File Brief Nunc Pro Tunc		Per Curiam
Comments: AND NOW, this 12th day of July, 2024, the "Petition for Leave to File My Amicus Brief Nunc Pro Tunc" is DENIED.			
July 12, 2024	Order Exited		Office of the Prothonotary
July 12, 2024	Appellant's Reply Brief	Appellant	Lee, Derek
July 12, 2024	Praeceptum for Appearance	Appellant	Rashatwar, Rupalee



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
July 15, 2024	Order Granting Nunc Pro Tunc Extension to File Amicus Brief fo the PA Office of Attorney General		Ceraso, Betsy
Comments: AND NOW, this 15th day of July, 2024, the "Application for Nunc Pro Tunc Extension to File Amicus Brief of the Pennsylvania Office of Attorney General" is GRANTED.			
July 15, 2024	Order Exited		Office of the Prothonotary
July 26, 2024	PA Office of Attorney General - Amicus Brief	Amicus Curiae	Pennsylvania Office of Attorney General, Philadelphia, PA
August 5, 2024	Application for Leave to file Amicus Brief Nunc Pro Tunc- Kenneth McIntyre	Amicus Curiae	McIntyre, Kenneth
August 15, 2024	Acknowledgement of Argument Notice Commonwealth of Pennsylvania	Appellee	McCarthy, Kevin Francis
August 16, 2024	Acknowledgement of Argument Notice Lee, Derek	Appellant	Grote, Bret Douglas
September 12, 2024	Order Denying Application for Leave to File Amicus Brief Nunc Pro Tunc(McIntyre Application)		Per Curiam
Comments: AND NOW, this 12th day of September, 2024, the Petition for Leave to File Amicus Curiae Brief Nunc Pro Tunc, submitted by Kenneth McIntyre, is DENIED.			
September 12, 2024	Order Exited		Office of the Prothonotary
October 8, 2024	Argued Lee, Derek Commonwealth of Pennsylvania	Appellant Appellee	Grote, Bret Douglas McCarthy, Kevin Francis
October 30, 2024	Motion of Office of Attorney General For Leave to File Supplemental Amicus Brief	Amicus Curiae	Pennsylvania Office of Attorney General, Philadelphia, PA
November 8, 2024	Appellant's Answer in Opposition to Amicus OAG's Application to File Supplemental Brief	Appellant	Lee, Derek



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 26, 2026	Reversed/Vacated/Remanded		Todd, Debra
Comments: Order reversed, judgment of sentence vacated, and case remanded. This mandate is stayed for 120 days. Justices Donohue, Dougherty, Wecht and McCaffery join the opinion. Justice Dougherty files a concurring opinion in which Justice McCaffery joins. Justice Wecht files a concurring opinion. Justice Mundy files a concurring opinion. Justice Brobson files a concurring and dissenting opinion.			
March 26, 2026	Judgment Entered		Office of the Prothonotary
April 14, 2026	Remitted		Office of the Prothonotary
May 11, 2026	Acknowledgement of Record Remittal		Allegheny County Criminal Division

CROSS COURT ACTIONS

Docket Number:	1008 WDA 2021
Docket Number:	180 WAL 2023