

## Supreme Court of Pennsylvania



## Appeal Docket Sheet

Docket Number: 16 MAP 2023

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February 19, 2026

## CAPTION

Commonwealth of Pennsylvania, Appellant

v.

Larry Wardell Hunte, Appellee

## CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Closed

Journal Number: J-43-2024 May 15, 2024

Case Category: Criminal

Case Type(s): Constitutionality of Statute

## CONSOLIDATED CASES

## RELATED CASES

## COUNSEL INFORMATION

Attorney: Robinson, Jennifer Ann  
 Cumberland County District Attorney's Office  
 Address: 1 Courthouse Sq  
 Carlisle, PA 17013  
 Phone No: (717) 240-6210  
 Receive Mail: Yes  
 Representing: Commonwealth of Pennsylvania, Appellant  
 Pro Se: No  
 IFP Status:

Attorney: McCormack, Sean Maurice  
 Cumberland County District Attorney's Office  
 Address: 1 Courthouse Sq Rm 202  
 Carlisle, PA 17013  
 Phone No: (717) 240-6410  
 Receive Mail: Yes  
 Representing: Commonwealth of Pennsylvania, Appellant  
 Pro Se: No  
 IFP Status:

Attorney: Sunday, David Winslow  
 Pennsylvania Office of Attorney General  
 Address: PA Office of Attorney General  
 Strawberry Square, 14th Floor  
 Harrisburg, PA 17120  
 Receive Mail: Yes  
 Representing: Pennsylvania Attorney General, Intervenor - Appellant  
 Pro Se: No  
 IFP Status:

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## COUNSEL INFORMATION

Attorney: Burns, Hugh J., Jr.  
 Pennsylvania Office of Attorney General, 16th Floor , Strawberry Square, Harrisburg, PA  
 Address: Pa Office Of Attorney General  
 1600 Arch St Ste 300  
 Philadelphia, PA 19103  
 Phone No: (215) 429-2968  
 Receive Mail: Yes  
 Representing: Pennsylvania Attorney General, Intervenor - Appellant  
 Pro Se: No  
 IFP Status:  
  
 Attorney: Spreha, Edward F., Jr.  
 Wagner & Spreha  
 Address: 2401 N Front St  
 Harrisburg, PA 17110  
 Phone No: (717) 234-7051  
 Receive Mail: Yes  
 Representing: Hunte, Larry Wardell, Appellee  
 Pro Se: No  
 IFP Status:  
  
 Attorney: Rudovsky, David  
 Kairys, Rudovsky, Messing, Feinberg & Lin, LLP  
 Address: Kairys Rudovsky Et Al  
 718 Arch St Ste 501  
 Philadelphia, PA 19106-1530  
 Phone No: (215) 925-4400  
 Receive Mail: Yes  
 Receive EMail: Yes Email:  
 Representing: Hunte, Larry Wardell, Appellee  
 Pro Se: No  
 IFP Status:

## SUPREME COURT INFORMATION

Appeal From: the Order of the Cumberland County Court of Common Pleas, Criminal Division, at No. CP-21-CR-3121-2021 dated January 20, 2023  
 Appeal Filed Below: 2/10/2023 12:00:00AM

Probable Jurisdiction Noted: May 2, 2023 Docketed Date: February 17, 2023  
 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
02/10/2023	Notice of Appeal	90.25	02/17/2023	2023-SUP-M-000459	90.25

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## INTERMEDIATE APPELLATE COURT INFORMATION

Court Name:

Docket Number:

Date of Order:

Rearg/Recon Disp Date:

Judge(s):

Rearg/Recon Disposition:

Intermediate Appellate Court Action:

Referring Court:

## AGENCY/TRIAL COURT INFORMATION

Court Below: Cumberland County Court of Common Pleas

County: Cumberland

Division: Cumberland County Criminal Division

Date of Agency/Trial Court Order: January 20, 2023

Docket Number: CP-21-CR-0003121-2021

Judge(s): Masland, Albert H.

OTN:

Order Type: Order

## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Part(s)	May 15, 2023	1

Record Remittal: July 11, 2025

## BRIEFING SCHEDULE

## Appellant

Commonwealth of Pennsylvania

## Brief

Due: July 26, 2023

Filed: July 25, 2023

## Appellee

Hunte, Larry Wardell

## Brief

Due: September 27, 2023

Filed: September 25, 2023

## Reply Brief

Due: October 12, 2023

Filed:

## Reproduced Record

Due: July 26, 2023

Filed: July 25, 2023

## Intervenor - Appellant

Pennsylvania Attorney General

## Brief

Due: July 26, 2023

Filed: July 26, 2023

## SESSION INFORMATION

Journal Number: J-43-2024

Listed/Submitted Date: May 15, 2024

Consideration Type: Oral Argument Supreme Ct.

## DISPOSITION INFORMATION

Related Journal No: J-43-2024

Judgment Date:

June 17, 2025

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## DISPOSITION INFORMATION

Category:	Decided	Disposition Author:	Wecht, David N.
Disposition:	Affirmed	Disposition Date:	June 17, 2025
Dispositional Filing:	<b>Majority Opinion</b>	Author:	Wecht, David N.
Filed Date:	June 17, 2025		
Justice:	Todd, Debra	Vote:	Joins
Justice:	Donohue, Christine	Vote:	Joins
Justice:	Dougherty, Kevin M.	Vote:	Joins
Justice:	McCaffery, Daniel D.	Vote:	Joins
Dispositional Filing:	<b>Concurring/Dissenting Opinion</b>	Author:	Mundy, Sallie U.
Filed Date:	June 17, 2025		
Dispositional Filing:	<b>Concurring/Dissenting Opinion</b>	Author:	Brobson, P. Kevin
Filed Date:	June 17, 2025		
Justice:	Mundy, Sallie U.	Vote:	Joins

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
February 10, 2023	<b>Notice of Appeal</b>	Appellant	Commonwealth of Pennsylvania
February 10, 2023	<b>Jurisdictional Statement</b>	Appellant	Commonwealth of Pennsylvania
February 20, 2023	<b>No Answer Letter to Notice of Appeal &amp; Jurisdictional Statement</b>	Appellee	Hunte, Larry Wardell
March 1, 2023	<b>Trial Court Opinion Received</b>		Cumberland County Court of Common Pleas
May 2, 2023	<b>Probable Jurisdiction Noted</b>		Dreibelbis, Amy
Comments: AND NOW, this 2nd day of May, 2023, probable jurisdiction is noted.			
May 2, 2023	<b>Order Exited</b>		Office of the Prothonotary
May 15, 2023	<b>Trial Court Record Received</b>		Cumberland County Court of Common Pleas

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## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 12, 2023	<b>Application for Extension of Time to File Brief - First Request</b>	Appellant	Commonwealth of Pennsylvania
June 14, 2023	<b>No Answer Letter to Application for Extension of Time to File Brief</b>	Appellee	Hunte, Larry Wardell
June 14, 2023	<b>Order Granting Application for Extension of Time to File Brief and Reproduced Record</b>		Dreibelbis, Amy
Comments: AND NOW, this 14th day of June, 2023, Appellant's application for extension of time is granted. Appellant's Brief and Reproduced Record shall be filed on or before July 26, 2023.			
June 14, 2023	<b>Order Exited</b>		Office of the Prothonotary
July 25, 2023	<b>Appellant's Brief</b>	Appellant	Commonwealth of Pennsylvania
July 25, 2023	<b>Appellant's Reproduced Record Filed</b>	Appellant	Commonwealth of Pennsylvania
July 26, 2023	<b>Intervenor - Appellant's Brief</b>	Intervenor - Appellant	Pennsylvania Attorney General
August 10, 2023	<b>Application for Extension of Time to File Brief - First Request</b>	Appellee	Hunte, Larry Wardell
August 17, 2023	<b>No Answer Letter to Application for Extension of Time</b>	Appellant	Commonwealth of Pennsylvania
August 22, 2023	<b>Order Granting Application for Extension of Time to File Appellee Brief</b>		Dreibelbis, Amy
Comments: AND NOW, this 22nd day of August, 2023, Appellee's application for extension of time is granted. Appellee's Brief shall be filed on or before September 27, 2023.			
August 22, 2023	<b>Order Exited</b>		Office of the Prothonotary
September 25, 2023	<b>Appellee's Brief</b>	Appellee	Hunte, Larry Wardell
December 19, 2023	<b>Dispositional Memo Order</b>		Per Curiam
Comments: AND NOW, this 19th day of December, 2023, oral argument is GRANTED, LIMITED to the following question:  Whether the trial court properly reached the question of the constitutionality of 75 Pa.C.S. §3755 and, if so, correctly held it is facially unconstitutional?			
December 19, 2023	<b>Order Exited</b>		Office of the Prothonotary

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 21, 2024	<b>Acknowledgement of Argument Notice</b> Hunte, Larry Wardell	Appellee	Spreha, Edward F., Jr.
March 22, 2024	<b>Acknowledgement of Argument Notice</b> Commonwealth of Pennsylvania	Appellant	Robinson, Jennifer Ann
April 22, 2024	<b>Acknowledgement of Argument Notice</b> Pennsylvania Attorney General	Intervenor - Appellant	Burns, Hugh J., Jr.
April 24, 2024	<b>Praecipe for Appearance</b> Hunte, Larry Wardell	Appellee	Rudovsky, David
May 15, 2024	<b>Argued</b> Commonwealth of Pennsylvania Hunte, Larry Wardell	Appellant Appellee	Robinson, Jennifer Ann Rudovsky, David
May 16, 2024	<b>Application for Leave to File Post-Submission Communication</b>	Intervenor - Appellant	Pennsylvania Attorney General
May 20, 2024	<b>Answer to Post Submission Communication Pa.R.A.P. 2501A</b>	Appellee	Hunte, Larry Wardell
June 17, 2025	<b>Affirmed</b>		Wecht, David N.
Comments: Section 3755 is facially unconstitutional under the Fourth Amendment to the United States Constitution and Article I, Section 8 of the Pennsylvania Constitution.			
The order of the Court of Common Pleas of Cumberland County is affirmed.			
Chief Justice Todd and Justices Donohue, Dougherty and McCaffery join the opinion. Justice Mundy files a concurring and dissenting opinion. Justice Brobson files a concurring and dissenting opinion in which Justice Mundy joins.			
June 17, 2025	<b>Judgment Entered</b>		Office of the Prothonotary
July 11, 2025	<b>Remitted</b>		Office of the Prothonotary