

Appeal Docket Sheet Docket Number: 42 WAP 2022 Page 1 of 7 July 16, 2025

		CAPTION			
Commonwealth of Pennsylvania, Appellee					
۷.					
Willie James Hardy, Ap	pellant				
	CAS	E INFORMATION			
Initiating Document:	Order Granting Petition for Allow	ance of Appeal			
Case Status:	Closed				
Journal Number:	J-38-2023 June 21, 2023				
Case Category:	Criminal	Case Type(s):	Murder 1 Aggravated Assault		
CO	NSOLIDATED CASES		RELATED CASES		

	COUNSEL	
Attorney:	Evans, James Michael	
	Segal McCambridge Singer & Mahor	ney
Address:	301 Grant St Ste 270	
	Pittsburgh, PA 15219	
Phone No:	(412) 586-9953	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Hardy, Willie James, Appellant	
Pro Se:	No	
IFP Status:		
Attorney:	DeLosa, Elizabeth Anne	
	Pennsylvania Innocence Project	
Address:	Tribone Building	
	914 Fifth Ave	
	Pittsburgh, PA 15219	
Phone No:	(412) 396-5877	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Hardy, Willie James, Appellant	
Pro Se:	No	
IFP Status:		



Appeal Docket Sheet Docket Number: 42 WAP 2022 Page 2 of 7

July 16, 2025

	COUNSEL INFORMATION
Attorney:	Maxfield, Amelia
	Pennsylvania Innocence Project
Address:	1515 Market St Ste 300
	Philadelphia, PA 19102
Phone No:	(215) 204-3748
Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Hardy, Willie James, Appellant
Pro Se:	No
IFP Status:	
Attorney:	Sanghvi, Nilam Ajit
Address:	Pa Innocence Project
	1515 Market St Ste 300
	Philadelphia, PA 19102
Phone No:	(215) 204-4255
Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Hardy, Willie James, Appellant
Pro Se:	No
IFP Status:	
Attorney:	Cantrell, Charles David
	Erie County District Attorney's Office
Address:	Erie County Courthouse
	140 W Sixth St Rm 506
	Erie, PA 16501
Phone No:	(814) 451-6023
Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	Commonwealth of Pennsylvania, Appellee
Pro Se:	No
IFP Status:	
Attorney:	Becker, Charles Lyman
	Kline & Specter, PC
Address:	Kline & Specter Pc
	1525 Locust St 19th Fl
	Philadelphia, PA 19102
Phone No:	(215) 772-1000
Receive Mail:	Yes
Receive EMail:	Yes Email:
Representing:	The Innocence Project, New York, NY, Amicus Curiae
Pro Se:	No
IFP Status:	



Appeal Docket Sheet Docket Number: 42 WAP 2022 Page 3 of 7

July 16, 2025

Pittsburgh, PA 15222-2724 Phone No: (412) 288-1098 Receive EMail: Yes Receive EMail: Yes Representing: The Innocence Network, Amicus Curiae Pro Se: No IPP Status:		COUNSEL INFORMATION
Address: PRed Smith LLP Address: 225 Fith Ave Pithsburgh, PA 15222-2724 Phone No: (412) 288-1098 Receive Mail: Yes Receive Mail: Yes Receive Mail: Yes Pro Se: No IFP Status: IfP Status: Address: Lackawana County District Attorney's Office Address: Lackawana County District Attorney's Office Address: Lackawana County Da's Office 135 Jefferson Ave Scranton, PA 18503 Phone No: (570) 963-6717 Receive Mail: Yes Email: Representing: Pennsylvania District Attorney's Association, Amicus Curiae Pro Se: No IFP Status: IFP Status: Attorney: Ashe, Kristen Marie Reed Smith LLP Address: 1717 Arch St Sts 3100 Philadelphia, PA 19103 Phone No: (215) 851-8100 Receive Mail: Yes Email: Representing: The Innocence Network, Amicus Curiae Pro Se: No Hitsburgh, PA 15222 Phone No: (412) 288-5370 Receive Email: Yes Email: Representing: The Innocence Network, Amicus Curiae Pro Se: No 	Attorney:	Cohen, David R.
Pittsburgh, PA 15222-2724 Phone No: (412) 286-1096 Receive Mail: Yes Receive EMail: Yes Representing: The Innocence Network, Amicus Curiae Pro Se: No IFP Status:	,	Reed Smith LLP
Phone No: (412) 288-1098 Receive EMail: Yes Email: Representing: The Innocence Network, Amicus Curiae Pro Se: No IFF Status: Attorney: Swift, Lisa Ann Lackawanna County District Attorney's Office Address: Lackawanna County District Attorney's Office Address: Lackawanna County District Attorney's Office Address: Lackawanna County District Attorney's Office Address: Jefferson Ave Scranton, PA 18503 Phone No: (570) 963-6717 Receive Mail: Yes Receive EMail: Yes Receive EMail: Yes Receive EMail: Yes Receive EMail: Yes Receive EMail: Yes Receive EMail: Yes Receive Mail: Yes Receive EMail: Yes Receive EMail: Yes Receive Mail: Yes Receive Email: Attorney: Ashe, Kristen Marie Receive Mail: Yes Receive Email: Pro Se: No IFP Status: Attorney: Smith, Corinne Mary Garrett Reed Smith LLP Address: 225 Fifth Ave Pittsburgh, PA 15222 Phone No: (412) 288-5379 Receive Email: Receive Email: Receive Email: Yes Receive Email: Receive Email: Yes Receive Email: Yes Receive Email: Yes Receive Email: Yes Receive Email: Yes Receive Mail: Yes Receive Mail: Yes Receive Mail: Yes Receive Mail: Yes Receive Mail: Yes Receive Email: Representing: The Innocence Network, Amicus Curiae Pro Se: No IFP Status: Attorney: Smith, Corinne Mary Garrett Receive Mail: Yes Receive Email: Representing: The Innocence Network, Amicus Curiae Pro Se: No	Address:	
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Pittsburgh, PA 15222 Phone No: (412) 288-5379 Receive Mail: Yes Receive EMail: Yes Representing: The Innocence Network, Amicus Curiae Pro Se: No		Reed Smith LLP
Phone No: (412) 288-5379 Receive Mail: Yes Receive EMail: Yes Representing: The Innocence Network, Amicus Curiae Pro Se: No	Address:	
Receive Mail: Yes Receive EMail: Yes Representing: The Innocence Network, Amicus Curiae Pro Se: No		
Receive EMail: Yes Email: Representing: The Innocence Network, Amicus Curiae Pro Se: No	Phone No:	
Representing: The Innocence Network, Amicus Curiae Pro Se: No		
Pro Se: No		
IFF Status:		No
	IFP Status:	

6:20 A.M.

Supreme Court of Pennsylvania



Appeal Docket Sheet Docket Number: 42 WAP 2022

185 WAL 2022

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SUPREME COURT INFORMATION

Appeal From: the Order of the Superior Court entered March 30, 2022, at No. 430 WDA 2021, affirming the order of the Court of Common Pleas of Erie County entered March 9, 2021, at No. CP-25-CR-0001647-1993.

Probable Jurisdiction Noted: Docketed Date: December 21, 2022

Allocatur/Miscellaneous Granted: December 21, 2022 Allocatur/Miscellaneous Docket No.:

Allocatur/Miscellaneous Grant Order: AND NOW, this 21st day of December, 2022, the Petition for Allowance of Appeal is GRANTED. The issues, rephrased for clarity, are:

(1) Was Appellant's Petition for Post-Conviction DNA Testing Pursuant to 42 Pa.C.S. § 9543.1 timely?

(2) Did Appellant satisfy the requirements of 42 Pa.C.S. § 9543.1(a)(2), with regard to evidence previously tested for DNA and evidence not previously tested for DNA?

(3) Did Appellant present a prima facie case demonstrating that the DNA testing sought, assuming exculpatory results, would establish his actual innocence of the offense for which he was convicted?

		FEE INFORMATION		
Fee Dt	Fee Name	Fee Amt Receip	t Dt Receipt No	Receipt Amt

	INTE		TE COURT INFORMATION	
Court Name:	Superior		Docket Number:	430 WDA 2021
Date of Order:	March 30, 2022		Rearg/Recon Disp Date: Rearg/Recon Disposition:	June 7, 2022 Denied.
Judge(s):	Murray, Mary P. Sullivan, Megan Colins, James G.			
Intermediate Appellate Court Action: Referring Court:		Affirmed.		
AGENCY/TRIAL COURT INFORMATION				
Court Below:	Erie County Court	of Common Pleas		

Court Below:	Erie County Court of Common Pleas		
County:	Erie	Division: Erie County Cri	iminal Division
Date of Agency/Trial Co	ourt Order: March 9, 2021		
Docket Number:	CP-25-CR-0001647-1993		
Judge(s):	Brabender, Jr. Daniel J.	OTN: E 161434-0	
Order Type:	Order		
	ORIGINAL RI	ECORD CONTENT	
Original Record Item		Filed Date	Content/Description
Original Record		December 23, 2022	Superior Court
Record Remittal:			
	July 7, 2025		
	•	G SCHEDULE	
Amicus Curiae	•	G SCHEDULE Appellee	
Amicus Curiae Pennsylvania District	•	Appellee Commonwealth of Per	nsylvania
Amicus Curiae	BRIEFIN	Appellee	nsylvania

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Appeal Docket Sheet Docket Number: 42 WAP 2022

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	U	OCKET ENTRY	
Filed Date	Docket Entry / Representing	Participant Type	Filed By
December 21, 2022	Allocatur Granted		
for clarity, are: (1) Was Appellant's Po (2) Did Appellant sat and evidence not prev (3) Did Appellant pr	etition for Post-Conviction DNA Testir tisfy the requirements of 42 Pa.C.S viously tested for DNA?	ng Pursuant to 42 Pa.C.S. § 9 S. § 9543.1(a)(2), with rega strating that the DNA testin	Per Curiam eal is GRANTED. The issues, rephrased 543.1 timely? rd to evidence previously tested for DNA ng sought, assuming exculpatory results
December 23, 2022	Superior Court Record Received		
December 23, 2022		•	Superior Court of Pennsylvania
January 4, 2023	Application for Extension of Tim	e to File Brief - First Reques Appellant	s t Hardy, Willie James
January 4, 2023	Answer to Application for Extens	sion of Time to File Brief Appellee	Commonwealth of Pennsylvania
January 5, 2023	Order Granting Application for E	Extension of Time to File App	bellant Brief Ceraso, Betsy
			· · · · · · · · · · · · · · · · · · ·
AND NOW, this 5th	day of January, 2023, the applica n or before February 22, 2023.	tion for extension of time is	s GRANTED. The Appellant's brief sha
AND NOW, this 5th be served and filed or		tion for extension of time is	-
AND NOW, this 5th be served and filed or January 5, 2023	n or before February 22, 2023.		s GRANTED. The Appellant's brief sha
AND NOW, this 5th be served and filed or January 5, 2023 January 13, 2023	n or before February 22, 2023. Order Exited	Filed	s GRANTED. The Appellant's brief sha Office of the Prothonotary
AND NOW, this 5th be served and filed or January 5, 2023 January 13, 2023 February 21, 2023	n or before February 22, 2023. Order Exited Appellant's Reproduced Record	Filed Appellant Appellant	s GRANTED. The Appellant's brief sha Office of the Prothonotary Hardy, Willie James
AND NOW, this 5th be served and filed or January 5, 2023 January 13, 2023 February 21, 2023	n or before February 22, 2023. Order Exited Appellant's Reproduced Record Appellant's Brief	Filed Appellant Appellant	s GRANTED. The Appellant's brief sha Office of the Prothonotary Hardy, Willie James
AND NOW, this 5th be served and filed or January 5, 2023 January 13, 2023 February 21, 2023 February 22, 2023	n or before February 22, 2023. Order Exited Appellant's Reproduced Record Appellant's Brief	Filed Appellant Appellant k, NY Amicus Brief Amicus Curiae Brief	s GRANTED. The Appellant's brief sha Office of the Prothonotary Hardy, Willie James Hardy, Willie James The Innocence Project, New York, NY
AND NOW, this 5th be served and filed or January 5, 2023 January 13, 2023 February 21, 2023 February 22, 2023	n or before February 22, 2023. Order Exited Appellant's Reproduced Record Appellant's Brief The Innocence Project, New York	Filed Appellant Appellant k, NY Amicus Brief Amicus Curiae	s GRANTED. The Appellant's brief sha Office of the Prothonotary Hardy, Willie James Hardy, Willie James The Innocence Project, New
AND NOW, this 5th be served and filed or January 5, 2023 January 13, 2023 February 21, 2023 February 22, 2023 February 22, 2023	n or before February 22, 2023. Order Exited Appellant's Reproduced Record Appellant's Brief The Innocence Project, New York	Filed Appellant Appellant k, NY Amicus Brief Amicus Curiae Brief	s GRANTED. The Appellant's brief sha Office of the Prothonotary Hardy, Willie James Hardy, Willie James The Innocence Project, New York, NY
	Appellant's Reproduced Record Appellant's Brief The Innocence Project, New Yor The Innocence Network Amicus Praecipe for Appearance	Filed Appellant Appellant k, NY Amicus Brief Amicus Curiae Brief Amicus Curiae	s GRANTED. The Appellant's brief sha Office of the Prothonotary Hardy, Willie James Hardy, Willie James The Innocence Project, New York, NY The Innocence Network
AND NOW, this 5th be served and filed or January 5, 2023 January 13, 2023 February 21, 2023 February 22, 2023 February 22, 2023 February 23, 2023	Appellant's Reproduced Record Appellant's Reproduced Record Appellant's Brief The Innocence Project, New York The Innocence Network Amicus Praecipe for Appearance The Innocence Network Praecipe for Appearance The Innocence Network	Filed Appellant Appellant k, NY Amicus Brief Amicus Curiae Brief Amicus Curiae Amicus Curiae Amicus Curiae Amicus Curiae	s GRANTED. The Appellant's brief sha Office of the Prothonotary Hardy, Willie James Hardy, Willie James Hardy, Willie James The Innocence Project, New York, NY The Innocence Network Ashe, Kristen Marie Cohen, David R. Smith, Corinne Mary Garrett

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		July 10	6, 2025
	D	OCKET ENTRY	
Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 23, 2023	Order Granting Application for E	Extension of Time to File Ap	p ellee Brief Ceraso, Betsy
	3rd day of March, 2023, the appli be served and filed on or before May		ne to file brief is granted in part. The
May 10, 2023	PA District Attorney's Association	on Amicus Brief Amicus Curiae	Pennsylvania District Attorneys Association
May 25, 2023	Application for Leave to File Bri	ef Nunc Pro Tunc Appellee	Commonwealth of Pennsylvania
May 26, 2023	Answer to Application for Nunc	Pro Tunc Relief Appellant	Hardy, Willie James
May 30, 2023	Order Granting Application for L	eave to File Appellee's Brie	e f Nunc Pro Tunc Ceraso, Betsy
	th day of May, 2023, the application of shall be filed on or before June 13, 2		's brief nunc pro tunc is GRANTED. The
May 30, 2023	Order Exited		Office of the Prothonotary
June 1, 2023	Appellee's Brief	Appellee	Commonwealth of Pennsylvania
June 13, 2023	Appellant's Reply Brief	Appellant	Hardy, Willie James
June 17, 2025	Reversed/Remanded		Wecht, David N.
Comments: The order of the opinion.	Superior Court is reversed, and th	e matter is remanded for	further proceedings consistent with this
Chief Justice Todd a	nd Justices Donohue and McCaffery jo	pin the opinion .	
Justice Mundy files a	a concurring and dissenting opinion in	which Justices Dougherty an	d Brobson join.
June 17, 2025	Judgment Entered		Office of the Prothonotary
July 7, 2025	Remitted		Office of the Prothonotary
July 11, 2025	Acknowledgement of Record Re	emittal	Superior Court of Pennsylvania
	CROS	S COURT ACTIONS	
Docket Number: Docket Number:		185 WAL 2022 430 WDA 2021	
	Noithar the Appellate Courte parties Advert	istrative Office of Deppendurerie Or	urta acouraça any liability

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