

Appeal Docket Sheet**Superior Court of Pennsylvania****Docket Number: 711 MDA 2026****Page 1 of 6****September 23, 2026****CAPTION**

Frank Tufano
Appellant

v.

Alibaba Group USA Inc. and Zhucheng Kangze Machinery Co.

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Decided/Active

Case Processing Status: July 10, 2026 Awaiting Remittal

Journal Number:

Case Category: Civil Case Type(s): Civil Action Law

CONSOLIDATED CASES**RELATED CASES**

Docket No / Reason

Type

723 MDA 2026
Similar Issue(s)

Related

SCHEDULED EVENT

Next Event Type: Appellant Brief Filed

Next Event Due Date: June 29, 2026

Next Event Type: Appellant Reproduced Record Filed

Next Event Due Date: June 29, 2026

Next Event Type: Record Remitted

Next Event Due Date: August 10, 2026

COUNSEL INFORMATION

Appellant Tufano, Frank

IFP Status: No

Pro Se: Yes

Pro Se: Frank Tufano

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Carbondale, PA 18407

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Fax No:

Appellee Alibaba Group USA Inc and Zhucheng Kangze Machinery Co

IFP Status: No

Pro Se: No

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Fax No:

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
03/10/2026	Notice of Appeal	91.25	08/12/2026	2026-SPR-M-000572	91.25
08/12/2026	Motion for Reconsideration or Clarification	15.00	08/20/2026	2026-SPR-M-000599	15.00

Appeal Docket Sheet**Superior Court of Pennsylvania****Docket Number: 711 MDA 2026****Page 2 of 6****September 23, 2026****AGENCY/TRIAL COURT INFORMATION**

Order Appealed From:	March 9, 2026	Notice of Appeal Filed:	March 10, 2026
Order Type:	Order Dated		
Documents Received:	May 5, 2026		

Court Below:	Lackawanna County Court of Common Pleas		
County:	Lackawanna	Division:	Lackawanna County Civil Division
Judge:	Nealon, Terrence R.	OTN:	
Docket Number:	2025-05632	Judicial District:	45

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Original Record	May 18, 2026	1 part
Trial Court Opinion	May 18, 2026	

Date of Remand of Record:**BRIEFING SCHEDULE**

Appellant	Appellee
Tufano, Frank	Alibaba Group USA Inc and Zhucheng Kangze Machinery
Brief	Co
Due: June 29, 2026	Filed: Brief

Reproduced Record

Due: June 29, 2026	Filed:
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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
May 5, 2026	Notice of Appeal Docketed	Appellant	Tufano, Frank
May 5, 2026	Docketing Statement Exited (Civil)		Superior Court of Pennsylvania
May 15, 2026	Docketing Statement Received (Civil)	Appellant	Tufano, Frank
May 18, 2026	Trial Court Record Received		Lackawanna County Civil Division
May 18, 2026	Trial Court Opinion Received		Lackawanna County Civil Division
May 18, 2026	Briefing Schedule Issued		Superior Court of Pennsylvania
May 20, 2026	Outstanding Invoice Letter Sent		Middle District Filing Office

Appeal Docket Sheet

Superior Court of Pennsylvania

Docket Number: 711 MDA 2026

Page 3 of 6

September 23, 2026



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 5, 2026	Order		Per Curiam
Document Name: Filing Fees Comment: AND NOW this 5th day of June, 2026, it is noted that Appellant Tufano has failed to pay the filing fee for the appeal. See Pa.R.A.P. 2701(a) ("A person upon filing any paper shall pay any fee therefor prescribed by law."); Pa.R.A.P. 905(c) ("The appellant upon filing the notice of appeal shall pay any fees therefor (including docketing fees in the appellate court) prescribed by Chapter 27"). Accordingly, Appellant is hereby ORDERED to either pay the requisite filing fee for the instant appeal in the amount of \$91.25 or, if applicable, file a request to proceed in forma pauperis (IFP) before the trial court. See Pa.R.A.P. 551-552. Payment of the fee or proof of filing of the IFP petition must be received by the Prothonotary of this Court within ten (10) days from the date of this Order. The failure to comply with this Order may result in the appeal being quashed or dismissed without further Order of Court, and any other appropriate sanctions. See <i>First Union Nat. Bank v. F.A. Realty Investors Corp.</i>, 812 A.2d 719, 723 (Pa. Super. 2002); <i>Kovalchuk v. Kovalchuk</i>, 305 A.3d 997 (Pa. Super. filed Sept. 19, 2023) (non-precedential decision).			
June 17, 2026	Response to Order	Appellant	Tufano, Frank

Appeal Docket Sheet

Superior Court of Pennsylvania

Docket Number: 711 MDA 2026

Page 4 of 6

September 23, 2026



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 18, 2026	Order - Rule to Show Cause		Per Curiam
Comment: Upon consideration of the notice of appeal and docketing statement filed by pro se Appellant Frank Tufano, plaintiff below, Appellant does not identify in his notice of appeal the date of the order on appeal. Pa.R.A.P. 904(a) (setting forth form requirements for notice of appeal). In his docketing statement, however, Appellant indicates that the appeal is taken from the March 9, 2026 order (the "Order") sustaining the preliminary objections filed by Alibaba Group USA Inc. ("Alibaba"), a defendant below, and dismissing Appellant's complaint as to Alibaba only due to a lack of personal jurisdiction. An appeal lies from: (1) a final order under Pa.R.A.P. 341; (2) an interlocutory order appealable as of right under Pa.R.A.P. 311; or (3) a collateral order under Pa.R.A.P. 313. Int. of J.M., 219 A.3d 645, 650 (Pa. Super. 2019). A final order disposes of all claims in and all parties to an action. Pa.R.A.P. 341(b)(1). Here, Appellant initiated this action by filing a complaint, naming Alibaba and Zhucheng Kangze Machinery Co. as defendants. Notably, while the Order dismisses the complaint as to Alibaba, there is no indication on the trial court docket that the claims against Zhucheng Kangze Machinery Co. have been adjudicated. Additionally, Appellant does not contend that the Order constitutes an interlocutory order appealable as of right or a collateral order. Therefore, it appears that the above-captioned appeal should be quashed. Accordingly, Appellant is DIRECTED to show cause, in the form of a response letter filed of record in this Court with a copy served on opposing counsel, as to why the appeal should not be quashed. The response letter shall be filed of record in this Court within fourteen (14) days from the date of this Order. Appellant's failure to comply with this Order may result in quashal of the appeal without further notice. Appellant is further CAUTIONED that his filing fee remains overdue to this Court and that this appeal may be dismissed without further notice of court due to Appellant's failure to pay the filing fee.			
July 6, 2026	Response to Rule to Show Cause	Appellant	Tufano, Frank

Appeal Docket Sheet

Superior Court of Pennsylvania

Docket Number: 711 MDA 2026

Page 5 of 6

September 23, 2026



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
July 10, 2026	Quash Sua Sponte		Per Curiam
Comment: Upon consideration of the notice of appeal and docketing statement filed by pro se Appellant Frank Tufano, plaintiff below, the appeal appears to be taken from the March 9, 2026 order (the "Order") sustaining the preliminary objections filed by Alibaba Group USA Inc. ("Alibaba") and dismissing the complaint as to Alibaba for lack of personal jurisdiction. An appeal lies from: (1) a final order under Pa.R.A.P. 341; (2) an interlocutory order appealable as of right under Pa.R.A.P. 311; or (3) a collateral order under Pa.R.A.P. 313. Int. of J.M., 219 A.3d 645, 650 (Pa. Super. 2019). A final order disposes of all claims in and all parties to an action. Pa.R.A.P. 341(b)(1). Here, Appellant initiated this action by filing a complaint, naming as defendants Alibaba and Zhucheng Kangze Machinery Co. ("Zhucheng"). Notably, while the Order dismisses the complaint as to Alibaba, there is no indication on the trial court docket that the claims against Zhucheng have been adjudicated. Additionally, Appellant does not contend that the Order constitutes an interlocutory order appealable as of right or a collateral order. Thus, it does not appear that the Order is appealable. As such, on June 18, 2026, this Court directed Appellant to show cause within 14 days as to why this appeal should not be quashed. Appellant untimely responded on July 6, 2026, requesting that the appeal not be quashed but conceding that "[t]he claims against Zhucheng . . . were never addressed by the lower court, nor was a default ever granted[.]" Moreover, on June 5, 2026, this Court issued a separate Order explaining that Appellant has failed to pay the filing fee for the appeal and directing him either to pay the fee or provide proof of filing an in forma pauperis petition within ten days. Appellant responded on June 17, 2026, generally contending that he paid the fee in the trial court and attaching a screenshot of what appears to be an electronic card transaction with the Lackawanna County Clerk of Courts in the amount of \$202.91, which does not correlate with the filing fee for this appeal. Because Appellant's response to this Court's show-cause Order is legally insufficient, this appeal is QUASHED. Additionally, the appeal is DISMISSED based on Appellant's failure to pay the filing fee or otherwise abide by this Court's Order dated June 5, 2026.			
August 12, 2026	Application for Reconsideration of Order	Appellant	Tufano, Frank
August 21, 2026	Order Denying Application for Reconsideration of Order		Per Curiam
Comment: Upon consideration of pro se Appellant's August 12, 2026 filing titled "Notice to Court," docketed as "Application for Reconsideration of Order," and noting that this Court no longer has jurisdiction over this appeal because it was both quashed and dismissed on July 10, 2026, the application is DENIED.			
September 23, 2026	Application for Relief	Appellant	Tufano, Frank
Document Name: Application for Continuance			

Appeal Docket Sheet

Superior Court of Pennsylvania

Docket Number: 711 MDA 2026

Page 6 of 6

September 23, 2026



DISPOSITION INFORMATION

Final Disposition:	Yes		
Related Journal No:		Judgment Date:	
Category:	Disposed Before Decision	Disposition Author:	Per Curiam
Disposition:	Quash Sua Sponte	Disposition Date:	July 10, 2026

Disposition Comment: Upon consideration of the notice of appeal and docketing statement filed by pro se Appellant Frank Tufano, plaintiff below, the appeal appears to be taken from the March 9, 2026 order (the "Order") sustaining the preliminary objections filed by Alibaba Group USA Inc. ("Alibaba") and dismissing the complaint as to Alibaba for lack of personal jurisdiction.

An appeal lies from: (1) a final order under Pa.R.A.P. 341; (2) an interlocutory order appealable as of right under Pa.R.A.P. 311; or (3) a collateral order under Pa.R.A.P. 313. Int. of J.M., 219 A.3d 645, 650 (Pa. Super. 2019). A final order disposes of all claims in and all parties to an action. Pa.R.A.P. 341(b)(1). Here, Appellant initiated this action by filing a complaint, naming as defendants Alibaba and Zhucheng Kangze Machinery Co. ("Zhucheng"). Notably, while the Order dismisses the complaint as to Alibaba, there is no indication on the trial court docket that the claims against Zhucheng have been adjudicated. Additionally, Appellant does not contend that the Order constitutes an interlocutory order appealable as of right or a collateral order. Thus, it does not appear that the Order is appealable.

As such, on June 18, 2026, this Court directed Appellant to show cause within 14 days as to why this appeal should not be quashed. Appellant untimely responded on July 6, 2026, requesting that the appeal not be quashed but conceding that "[t]he claims against Zhucheng . . . were never addressed by the lower court, nor was a default ever granted[.]"

Moreover, on June 5, 2026, this Court issued a separate Order explaining that Appellant has failed to pay the filing fee for the appeal and directing him either to pay the fee or provide proof of filing an in forma pauperis petition within ten days. Appellant responded on June 17, 2026, generally contending that he paid the fee in the trial court and attaching a screenshot of what appears to be an electronic card transaction with the Lackaw

Dispositional Filing:	Filing Author:
Filed Date:	