Sealed Documents | Sealed Record

Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 98 MAP 2023

November 19, 2026

CAPTION

Commonwealth of Pennsylvania, Appellee
v.
John Edward Kurtz, Appellant

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Closed
Journal Number: J-36A-2024 May 14, 2024

Case Category: Criminal

Case Type(s):
Rape
Aggravated Assault
Burglary
Criminal Attempt
False Imprisonment
Involuntary Deviate Sexual Intercourse
Kidnapping
Sexual Assault
Simple Assault
Unlawful Restraint

CONSOLIDATED CASES

Docket No / Reason	Type
99 MAP 2023 Sua Sponte	Consolidated
100 MAP 2023 Sua Sponte	Consolidated

RELATED CASES

COUNSEL INFORMATION

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Receive Mail: Yes
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Representing: Kurtz, John Edward, Appellant
Pro Se: No
IFP/Waiver:

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COUNSEL INFORMATION

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Pro Se:	No
IFP/Waiver:	

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Pro Se:	No
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IFP/Waiver:	

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Pro Se:	No
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COUNSEL INFORMATION

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	Pennsylvania Office of Attorey General
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	Strawberry Square, 14th Floor
	Harrisburg, PA 17120
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Pro Se:	No
IFP/Waiver:	

SUPREME COURT INFORMATION

Appeal From: the Order of the Superior Court at No. 811 MDA 2021 entered on April 28, 2023, Affirming the Judgment of Sentence of the Northumberland County Court of Common Pleas, Criminal Division, at No. CP-49-CR-0000045-2018 entered on March 2, 2021

Probable Jurisdiction Noted:

Docketed Date: October 30, 2023

Allocatur/Miscellaneous Granted: October 30, 2023

Allocatur/Miscellaneous Docket No.: 289 MAL 2023

Allocatur/Miscellaneous Grant Order: AND NOW, this 30th day of October, 2023, the Petition for Allowance of Appeal is GRANTED. The issues, as stated by petitioner, are:

1. In an issue of first impression, whether the Superior Court erred in concluding that an individual does not have a reasonable expectation of privacy in his or her electronic content, particularly in his or her private internet search queries and IP address?

2. In an issue of first impression, whether the Superior Court erred in finding that probable cause may be established to support a search warrant to Google, Inc. requesting the content of an individual's private internet search queries where the suspect is unknown and no evidence is presented establishing that Google, Inc. was used in the planning or commission of the crime?

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
02/29/2024	2nd Motion for Extension of Time	10.00	02/29/2024	2024-SUP-M-000550	10.00

INTERMEDIATE APPELLATE COURT INFORMATION

Court Name:	Superior	Docket Number:	811 MDA 2021
Date of Order:	April 28, 2023	Rearg/Recon Disp Date:	
		Rearg/Recon Disposition:	
Judge(s):	Murray, Mary P.		
	McLaughlin, Maria		
	Colins, James G.		

Intermediate Appellate Court Action: Affirmed

Referring Court:

AGENCY/TRIAL COURT INFORMATION

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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 98 MAP 2023

November 19, 2026

Court Below: Northumberland County Court of Common Pleas

County: Northumberland Division: Northumberland County Criminal Division

Date of Agency/Trial Court Order: March 2, 2021

Docket Number: CP-49-CR-0000045-2018

Judge(s): Saylor, Charles H. OTN: U 536095-0

Order Type: Judgment of Sentence

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Transcript(s)	October 31, 2023	18 (1 part contains sealed exhibits/envelope)
Part(s)	October 31, 2023	9

Record Remittal: January 5, 2026

BRIEFING SCHEDULE

Amicus Curiae

ACLU of Pennsylvania, et al.

Brief

Due: January 10, 2024 Filed: January 10, 2024

Electronic Frontier Foundation, et al.

Brief

Due: January 10, 2024 Filed: January 5, 2024

Office of Attorney General

Brief

Due: March 27, 2024 Filed: March 27, 2024

PA District Attorney's Association

Brief

Due: March 27, 2024 Filed: March 27, 2024

Appellant

Kurtz, John Edward

Brief

Due: January 10, 2024 Filed: January 10, 2024

Reply Brief

Due: April 12, 2024 Filed:

Reproduced Record

Due: January 10, 2024 Filed: January 10, 2024

Appellee

Commonwealth of Pennsylvania

Brief

Due: March 27, 2024 Filed: March 26, 2024

SESSION INFORMATION

Journal Number: J-36A-2024

Listed/Submitted Date: May 14, 2024

Consideration Type: Oral Argument Supreme Ct.

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Supreme Court of Pennsylvania

Appeal Docket Sheet

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DISPOSITION INFORMATION

Related Journal No:	J-36A-2024	Judgment Date:	December 16, 2025
Category:	Decided	Disposition Author:	Wecht, David N.
Disposition:	Affirmed	Disposition Date:	December 16, 2025
Dispositional Filing:	**Opinion Announcing Judgment of the Court**	Author:	Wecht, David N.
Filed Date:	December 16, 2025		
Justice:	Dougherty, Kevin M.	Vote:	Joins
Justice:	Brobson, P. Kevin	Vote:	Joins
Dispositional Filing:	**Concurring Opinion**	Author:	Todd, Debra
Filed Date:	December 16, 2025		
Justice:	Mundy, Sallie U.	Vote:	Joins
Justice:	McCaffery, Daniel D.	Vote:	Joins
Dispositional Filing:	**Concurring Opinion**	Author:	Mundy, Sallie U.
Filed Date:	December 16, 2025		
Dispositional Filing:	**Dissenting Opinion**	Author:	Donohue, Christine
Filed Date:	December 16, 2025		

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 30, 2023	**Allocatur Granted**		Per Curiam

Comments:
AND NOW, this 30th day of October, 2023, the Petition for Allowance of Appeal is GRANTED. The issues, as stated by petitioner, are:

1. In an issue of first impression, whether the Superior Court erred in concluding that an individual does not have a reasonable expectation of privacy in his or her electronic content, particularly in his or her private internet search queries and IP address?

2. In an issue of first impression, whether the Superior Court erred in finding that probable cause may be established to support a search warrant to Google, Inc. requesting the content of an individual's private internet search queries where the suspect is unknown and no evidence is presented establishing that Google, Inc. was used in the planning or commission of the crime?

October 31, 2023	**Sealed Superior Court Record Received**		Superior Court of Pennsylvania

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 13, 2023	**Application for Extension of Time**	Appellant	Kurtz, John Edward
November 15, 2023	**No Answer Letter to Application for Extension of Time to File Brief**	Appellee	Commonwealth of Pennsylvania
November 17, 2023	**Order Granting Application for Extension of Time to File Appellant Brief**		Dreibelbis, Amy

Comments:
AND NOW, this 17th day of November, 2023, Appellant's application for extension of time is granted. Appellant's Brief and Reproduced Record shall be filed on or before January 10, 2024.

November 17, 2023	**Order Exited**		Office of the Prothonotary
January 5, 2024	**Amicus Curiae Brief**	Amicus Curiae	Electronic Frontier Foundation, et al.

Comments:
Amicus Brief on behalf of:
Electronic Frontier Foundation, National Association of Criminal Defense lawyers, and PA Association of Criminal Defense Lawyers

January 10, 2024	**Appellant's Brief**	Appellant	Kurtz, John Edward
January 10, 2024	**Sealed Appellant's Reproduced Record Filed**	Appellant	Kurtz, John Edward
January 10, 2024	**Amicus Curiae Brief**	Amicus Curiae	ACLU of Pennsylvania, et al.

Comments:
Amicus Brief on behalf of:
AMERICAN CIVIL LIBERTIES UNION (ACLU), ACLU OF PENNSYLVANIA, LIBRARY FREEDOM PROJECT, ASSOCIATION OF RESEARCH LIBRARIES, FREEDOM TO READ FOUNDATION, AND INTERNET ARCHIVE

February 9, 2024	**Application for Extension of Time to File Brief - First Request**	Appellee	Commonwealth of Pennsylvania
February 9, 2024	**No Answer Letter to Application for Extension of Time**	Appellant	Kurtz, John Edward
February 9, 2024	**Order Granting Application for Extension of Time to File Appellee Brief**		Dreibelbis, Amy

Comments:
AND NOW, this 9th day of February, 2024, Appellee's application for extension of time is GRANTED. Appellee's Brief shall be filed on or before March 13, 2024.

February 9, 2024	**Order Exited**		Office of the Prothonotary
February 29, 2024	**Application for Extension of Time to File Brief - Second Request**	Appellee	Commonwealth of Pennsylvania

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
March 4, 2024	**Answer to Second Application for Extension of Time to File Appellee's Brief**		
		Appellant	Kurtz, John Edward
March 12, 2024	**Order Granting Appellee's Second Motion for an Extension of Time, in Part**		
			Per Curiam

Comments:
AND NOW, this 12th day of March, 2024, the Commonwealth's Second Motion for an Extension of Time is GRANTED, IN PART. The Commonwealth shall file its brief no later than March 27, 2024. No further extensions will be granted absent extraordinary circumstances.

March 12, 2024	**Order Exited**		
			Office of the Prothonotary
March 22, 2024	**Acknowledgement of Argument Notice**		
	Kurtz, John Edward	Appellant	Taglieri, Douglas Joseph
March 22, 2024	**Acknowledgement of Argument Notice**		
	Commonwealth of Pennsylvania	Appellee	Skinner, Julia Margaret
March 26, 2024	**Appellee's Brief**		
		Appellee	Commonwealth of Pennsylvania
March 27, 2024	**Amicus Curiae Brief**		
		Amicus Curiae	Office of Attorney General
		Amicus Curiae	PA District Attorney's Association
May 14, 2024	**Argued**		
	Kurtz, John Edward	Appellant	Taglieri, Douglas Joseph
	Commonwealth of Pennsylvania	Appellee	Skinner, Julia Margaret
December 16, 2025	**Affirmed**		
			Wecht, David N.

Comments:
For these reasons, Kurtz had no enforceable expectation of privacy in his internet searches. As such, he cannot prevail on a challenge to the validity of the search warrant executed in this case. We affirm.

Justices Dougherty and Brobson join the opinion announcing the judgment of the Court.

Chief Justice Todd files a concurring opinion in which Justices Mundy and McCaffery join .

Justice Mundy files a concurring opinion.

Justice Donohue files a dissenting opinion.

December 16, 2025	**Judgment Entered**		
			Office of the Prothonotary
January 5, 2026	**Remitted**		
			Office of the Prothonotary

CROSS COURT ACTIONS

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Supreme Court of Pennsylvania

Appeal Docket Sheet

Docket Number: 98 MAP 2023

November 19, 2026

CROSS COURT ACTIONS

Docket Number:	289 MAL 2023
Docket Number:	811 MDA 2021

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