



## CAPTION

Marlon Osbourne, M.D. and the City of Philadelphia Office of the Medical Examiner, Appellees

v.

Joshua M. Greenberg and Sandra Greenberg, Administrators of the Estate of Ms. Ellen R. Greenberg, Appellants

## CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Closed

Journal Number:

Case Category: Civil

Case Type(s):

Mandamus

## CONSOLIDATED CASES

## RELATED CASES

## COUNSEL INFORMATION

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#### SUPREME COURT INFORMATION

Appeal From: the Order of the Commonwealth Court entered on September 13, 2023, at No. 1461 CD 2021, reversing/remanding the Order of the Court of Common Pleas of Philadelphia County, Civil Division, entered on October 21, 2021, at No. 191001241.

Probable Jurisdiction Noted: Docketed Date: July 30, 2024  
 Allocatur/Miscellaneous Granted: July 30, 2024 Allocatur/Miscellaneous Docket No.: 332 EAL 2023

Allocatur/Miscellaneous Grant Order: AND NOW, this 30th day of July, 2024, the Petition for Allowance of Appeal is GRANTED. The issue, as stated by Petitioners is:

Whether, as an issue of statewide importance, executors and administrators of an estate have standing to challenge an erroneous finding recorded on the decedent's death certificate where that finding constitutes a bar or material impediment to recovery of victim's compensation, restitution or for wrongful death, as well as private criminal complaints.

Justice Wecht did not participate in the consideration or decision of this matter .

#### FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
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#### INTERMEDIATE APPELLATE COURT INFORMATION

Court Name: Commonwealth Docket Number: 1461 CD 2021  
 Date of Order: September 13, 2023 Rearg/Recon Disp Date:  
 Rearg/Recon Disposition:

Judge(s): McCullough, Patricia  
 Ceisler, Ellen  
 Dumas, Lori A.

Intermediate Appellate Court Action: Reversed/Remanded  
 Referring Court:

#### AGENCY/TRIAL COURT INFORMATION

Court Below: Philadelphia County Court of Common Pleas  
 County: Philadelphia Division: Philadelphia County Civil Division  
 Date of Agency/Trial Court Order: October 21, 2021  
 Docket Number: 191001241  
 Judge(s): Hill, Glynnis D. OTN:  
 Order Type: Order

#### ORIGINAL RECORD CONTENT



## ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Commonwealth Court Record Electronically Transmitt	July 30, 2024	
<b>Record Remittal:</b>	<b>May 14, 2025</b>	

## BRIEFING SCHEDULE

Appellant		Appellee	
<b>Greenberg, Joshua M.</b>		<b>City of Philadelphia Office of the Medical Examiner</b>	
<b>Brief</b>		<b>Brief</b>	
Due: October 9, 2024	Filed: October 9, 2024	Due: December 12, 2024	Filed: December 12, 2024
<b>Reply Brief</b>		<b>Osbourne, Marlon</b>	
<b>Brief</b>		<b>Brief</b>	
Due: January 27, 2025	Filed: January 27, 2025	Due: December 12, 2024	Filed: December 12, 2024
<b>Reproduced Record</b>			
Due: October 9, 2024	Filed: October 9, 2024		
<b>Greenberg, Sandra</b>			
<b>Brief</b>			
Due: October 9, 2024	Filed: October 9, 2024		
<b>Reply Brief</b>			
Due: January 27, 2025	Filed: January 27, 2025		

## DISPOSITION INFORMATION

Related Journal No:		Judgment Date:	
Category:	Disposed Before Decision	Disposition Author:	Per Curiam
Disposition:	Discontinued	Disposition Date:	May 14, 2025
Dispositional Filing:	<b>Order</b>	Author:	Per Curiam
Filed Date:	May 14, 2025		
Justice:	Wecht, David N.	Vote:	Did Not Participate in Consid/Decision of Case

## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
<b>July 30, 2024</b>	<b>Allocatur Granted</b>		Per Curiam

## Comments:

AND NOW, this 30th day of July, 2024, the Petition for Allowance of Appeal is GRANTED. The issue, as stated by Petitioners is:

Whether, as an issue of statewide importance, executors and administrators of an estate have standing to challenge an erroneous finding recorded on the decedent's death certificate where that finding constitutes a bar or material impediment to recovery of victim's compensation, restitution or for wrongful death, as well as private criminal complaints.



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
Justice Wecht did not participate in the consideration or decision of this matter .			
July 30, 2024	<b>Commonwealth Court Record Electronically Transmitted</b>		Commonwealth Court of Pennsylvania
August 5, 2024	<b>Praecepte for Appearance</b>		
	Greenberg, Joshua M.	Appellant	Sargent, James C., Jr.
	Greenberg, Sandra	Appellant	Sargent, James C., Jr.
August 5, 2024	<b>Application for Extension of Time to File Brief - First Request</b>		
		Appellant	Greenberg, Joshua M.
		Appellant	Greenberg, Sandra
August 6, 2024	<b>Order Granting Application for Extension of Time to File Brief and Reproduced Record</b>		Rothermel, Steven
Comments: AND NOW, this 6th day of August, 2024, the application for extension of time to file Appellants' brief and reproduced record is GRANTED. Appellants' brief and reproduced record are now due in this Court on or before October 9, 2024.			
August 6, 2024	<b>Order Exited</b>		Office of the Prothonotary
October 9, 2024	<b>Appellant's Brief</b>		
		Appellant	Greenberg, Joshua M.
		Appellant	Greenberg, Sandra
October 9, 2024	<b>Appellant's Reproduced Record Filed</b>		
		Appellant	Greenberg, Joshua M.
November 6, 2024	<b>Application for Extension of Time to File Brief - First Request</b>		
		Appellee	Osbourne, Marlon
		Appellee	City of Philadelphia Office of the Medical Examiner
November 12, 2024	<b>Order Granting Application for Extension of Time to File Appellee Brief</b>		Rothermel, Steven
Comments: AND NOW, this 12th day of November, 2024, the "Appellees' First Unopposed Application for a 30-Day Extension of Time to File Brief" is GRANTED. Appellees' brief is now due in this Court on or before December 12, 2024.			
November 12, 2024	<b>Order Exited</b>		Office of the Prothonotary
December 12, 2024	<b>Appellee's Brief</b>		
		Appellee	Osbourne, Marlon
		Appellee	City of Philadelphia Office of the Medical Examiner
December 19, 2024	<b>Application for Extension of Time to File Brief - First Request</b>		
		Appellant	Greenberg, Joshua M.
		Appellant	Greenberg, Sandra



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
December 24, 2024	No Answer Letter	Appellee Appellee	Osbourne, Marlon City of Philadelphia Office of the Medical Examiner
December 26, 2024	Order Granting Unopposed Application for Extension of Time to File Reply Brief of Appellants		Rothermel, Steven
Comments: ND NOW, this 26th day of December, 2024, the "Unopposed Application for Extension of Time to File Reply Brief of Appellants" is GRANTED. Appellants' reply brief is now due in this Court on or before January 27, 2025. No further extensions of time shall be granted absent extraordinary circumstances.			
December 26, 2024	Order Exited		Office of the Prothonotary
January 27, 2025	Appellant's Reply Brief	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
April 14, 2025	Application for Discontinuance	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
April 14, 2025	Answer to Application for Discontinuance	Appellee Appellee	Osbourne, Marlon City of Philadelphia Office of the Medical Examiner
May 14, 2025	Order Granting Application for Discontinuance		Per Curiam
Comments: AND NOW, this 14th day of May, 2025, the Application for Discontinuance is GRANTED.  Justice Wecht did not participate in the consideration or decision of this matter .			
May 14, 2025	Order Exited		Office of the Prothonotary
May 14, 2025	Trial Court Record electronically remitted to Court of Common Pleas, Phila County, Civil Div.		Office of the Prothonotary

## CROSS COURT ACTIONS

Docket Number: 1461 CD 2021  
Docket Number: 332 EAL 2023