

## Supreme Court of Pennsylvania



## Appeal Docket Sheet

Docket Number: 55 EAP 2024

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June 24, 2026

## 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

Attorney: Podraza, Joseph R.  
Lamb McErlane, PC

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Philadelphia, PA 19103

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Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Greenberg, Joshua M., Appellant

Pro Se: No

IFP Status:

Representing: Greenberg, Sandra, Appellant

Pro Se: No

IFP Status:

Attorney: Sargent, James C., Jr.  
Lamb McErlane PC

Address: 24 East Market St.  
P.O. Box 565  
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Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Greenberg, Joshua M., Appellant

Pro Se: No

IFP Status:

Representing: Greenberg, Sandra, Appellant

Pro Se: No

IFP Status:



### COUNSEL INFORMATION

Attorney:	Trask, William Howard	
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Receive Mail:	Yes	
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Representing:	Greenberg, Joshua M., Appellant	
Pro Se:	No	
IFP Status:		
Representing:	Greenberg, Sandra, Appellant	
Pro Se:	No	
IFP Status:		

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Attorney:	Diffily, Kelly Susan	
	City of Philadelphia	
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	1515 Arch St Fl 17	
	Philadelphia, PA 19143	
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Representing:	City of Philadelphia Office of the Medical Examiner, Appellee	
Pro Se:	No	
IFP Status:		
Representing:	Osbourne, Marlon, Appellee	
Pro Se:	No	
IFP Status:		

### 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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## Supreme Court of Pennsylvania



## Appeal Docket Sheet

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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 Item	Filed Date	Content/Description
Commonwealth Court Record Electronically Transmitt	July 30, 2024	

Record Remittal: May 14, 2025

## 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>
Due: January 27, 2025 Filed: January 27, 2025	<b>Brief</b>
	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:



## DISPOSITION INFORMATION

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.  Justice Wecht did not participate in the consideration or decision of this matter .			
<b>July 30, 2024</b>	<b>Commonwealth Court Record Electronically Transmitted</b>		Commonwealth Court of Pennsylvania
<b>August 5, 2024</b>	<b>Praecepte for Appearance</b> Greenberg, Joshua M. Greenberg, Sandra	Appellant Appellant	Sargent, James C., Jr. Sargent, James C., Jr.
<b>August 5, 2024</b>	<b>Application for Extension of Time to File Brief - First Request</b>	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
<b>August 6, 2024</b>	<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.			
<b>August 6, 2024</b>	<b>Order Exited</b>		Office of the Prothonotary
<b>October 9, 2024</b>	<b>Appellant's Brief</b>	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
<b>October 9, 2024</b>	<b>Appellant's Reproduced Record Filed</b>	Appellant	Greenberg, Joshua M.



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
November 6, 2024	<b>Application for Extension of Time to File Brief - First Request</b>	Appellee Appellee	Osbourne, Marlon 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 Appellee	Osbourne, Marlon City of Philadelphia Office of the Medical Examiner
December 19, 2024	<b>Application for Extension of Time to File Brief - First Request</b>	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
December 24, 2024	<b>No Answer Letter</b>	Appellee Appellee	Osbourne, Marlon City of Philadelphia Office of the Medical Examiner
December 26, 2024	<b>Order Granting Unopposed Application for Extension of Time to File Reply Brief of Appellants</b>		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	<b>Order Exited</b>		Office of the Prothonotary
January 27, 2025	<b>Appellant's Reply Brief</b>	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
April 14, 2025	<b>Application for Discontinuance</b>	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
April 14, 2025	<b>Answer to Application for Discontinuance</b>	Appellee Appellee	Osbourne, Marlon City of Philadelphia Office of the Medical Examiner



## DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
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