

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 7 WAP 2023

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August 15, 2026

CAPTION

Mark and Leah Gustafson, Individually and as Administrators and Personal Representatives of the Estate of James Robert ("J.R.") Gustafson

v.

Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC d/b/a Saloom Department Store

and

The United States of America

Appeal of: Springfield, Inc. d/b/a Springfield Armory and Saloom Department Store and Saloom Dept. Store, LLC d/b/a Saloom Department Store

CASE INFORMATION

Initiating Document: Order Granting Petition for Allowance of Appeal

Case Status: Closed

Journal Number: J-22-2024 April 9, 2024

Case Category: Civil Case Type(s): Products Liability

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney: Hare, John Jacob
Marshall Dennehey Warner Coleman & Goggin, PC

Address: 2000 Market St Ste 2300
Ste 2300
Philadelphia, PA 19103-3231

Phone No: (215) 575-2609

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Springfield, Inc., et al., Appellant

Pro Se: No

IFP Status:

Attorney: Allan, Scott C.
Pro Hac Vice

Address: Renzulli Law Firm, LLC
One North Broadway
Suite 1005
White Plains, NY 10603

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Springfield, Inc., et al., Appellant

Pro Se: No

IFP Status:

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COUNSEL INFORMATION

Attorney: Haselbarth, Shane
 Marshall Dennehey Warner Coleman & Goggin, PC
 Address: 2000 Market St
 Ste 2300
 Philadelphia, PA 19103-3231
 Phone No: (215) 575-2639
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Springfield, Inc., et al., Appellant
 Pro Se: No
 IFP Status:

Attorney: Renzulli, Christopher
 Pro Hac Vice
 Address: Renzulli Law Firm, LLP
 One North Broadway
 Suite 1005
 White Plains, NY 10603
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: Springfield, Inc., et al., Appellant
 Pro Se: No
 IFP Status:

Attorney: Toomey, Charles Scott
 Littleton Park Joyce Ughetta & Kelly LLP
 Address: 201 King of Prussia Rd Ste 220
 Radnor, PA 19087
 Phone No: (484) 254-6220
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: The National Shooting Sports Foundation, Inc., Appellant Amicus Curiae
 Pro Se: No
 IFP Status:

Attorney: Keane, Lawrence G.
 Pro Hac Vice
 Address: NSSF
 11 Mile Hill Road
 Newtown, CT 06470
 Receive Mail: Yes
 Receive EMail: Yes Email:
 Representing: The National Shooting Sports Foundation, Inc., Appellant Amicus Curiae
 Pro Se: No
 IFP Status:

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COUNSEL INFORMATION

Attorney: Livingston, Craig A.
Pro Hac Vice

Address: Livingston Law Firm
1600 S. Main Street
Suite 280
Walnut Creek, CA 94596

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: The National Shooting Sports Foundation, Inc., Appellant Amicus Curiae

Pro Se: No

IFP Status:

Attorney:	Van Der Putten, Crystal L.	
	Pro Hac Vice	
Address:	Livingston Law Firm	
	1600 S. Main Street	
	Suite 280	
	Walnut Creek, CA 94596	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	The National Shooting Sports Foundation, Inc., Appellant Amicus Curiae	
Pro Se:	No	
IFP Status:		

Attorney:	Irwin, Laura Schleich	
	U.S. Department of Justice	
Address:	U.s. Attorney's Office	
	700 Grant St Ste 400	
	Pittsburgh, PA 15219-1906	
Phone No:	(412) 894-7374	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	The United States of America, Appellee	
Pro Se:	No	
IFP Status:		

Attorney:	Iverson, Kelly Kathleen	
	Lynch Carpenter LLP	
Address:	1133 Penn Ave 5th Fl	
	Pittsburgh, PA 15222	
Phone No:	(412) 253-4989	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Mark Gustafson, et al., Appellee	
Pro Se:	No	
IFP Status:		

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COUNSEL INFORMATION

Attorney: Lowy, Jonathan Elias
Pro Hac Vice

Address: Global Action on Gun Violence
805 15th Street NW
Suite 601
Washington, DC 20005

Receive Mail: Yes
Representing: Mark Gustafson, et al., Appellee
Pro Se: No
IFP Status:

Attorney: Lynch, Gary F.
Lynch Carpenter LLP
Address: 1133 Penn Ave
5th Floor
Pittsburgh, PA 15222

Phone No: (412) 322-9243
Receive Mail: Yes
Receive EMail: Yes Email:
Representing: Mark Gustafson, et al., Appellee
Pro Se: No
IFP Status:

Attorney: McGraw, James Patrick, III
Lynch Law Group, LLC
Address: Lynch Law Group LLC
501 Smith Dr Ste 3
Cranberry Twp., PA 16066

Phone No: (724) 776-8000
Receive Mail: Yes
Receive EMail: Yes Email:
Representing: Mark Gustafson, et al., Appellee
Pro Se: No
IFP Status:

Attorney: Myron, Laura
Pro Hac Vice

Address: United States Department of Justice, Civil Division
950 Pennsylvania Avenue, NW
Washington, DC 20530

Receive Mail: Yes
Receive EMail: Yes Email:
Representing: The United States of America, Appellee
Pro Se: No
IFP Status:

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COUNSEL INFORMATION

Attorney: Bashman, Howard Jonathan

Address: 500 Office Center Dr Ste 400
Fort Washington, PA 19034

Phone No: (215) 830-1458

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Everytown for Gun Safety Support Fund, Amicus Curiae

Pro Se: No

IFP Status:

Attorney: Beran, Katie Rose

Address: Hausfeld LLP
325 Chestnut St Ste 900
Philadelphia, PA 19106

Phone No: (215) 985-3270

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Federalism Scholars, Amicus Curiae

Pro Se: No

IFP Status:

Attorney: Goldstein, Jonathan Shae

Address: Goldstein Law Partners LLC
11 Church Rd
Hatfield, PA 19440

Phone No: (610) 949-0444

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: State of Montana, Amicus Curiae

Pro Se: No

IFP Status:

Attorney: Goslee, James Patrick

Address: Cohen Placitella & Roth P.c.
2001 Market St Ste 2900
Philadelphia, PA 19103

Phone No: (215) 567-3500

Receive Mail: Yes

Receive EMail: Yes Email:

Representing: Pennsylvania Association for Justice, Amicus Curiae

Pro Se: No

IFP Status:

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COUNSEL INFORMATION

Attorney:	Lester-Abdalla, Elizabeth Pidcock	
	Pennsylvania Office of Attorney General	
Address:	1600 Arch St Ste 300	
	Philadelphia, PA 19103	
Phone No:	(215) 970-0933	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Pennsylvania Office of Attorney General, Amicus Curiae	
Pro Se:	No	
IFP Status:		

Attorney:	Vodzak, Matthew Daniel	
	Fowler Hirtzel McNulty & Spaulding, LLP	
Address:	Fowler Hirtzel McNulty & Spaulding Llp	
	Three Logan Square 1717 Arch Street Suite 1310	
	Philadelphia, PA 19103	
Phone No:	(215) 789-4848	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Philadelphia Association of Defense Counsel, Amicus Curiae	
Pro Se:	No	
IFP Status:		
Representing:	The Pennsylvania Defense Institute, Amicus Curiae	
Pro Se:	No	
IFP Status:		

Attorney:	Bugay, Arthur L.	
	Law Offices of Arthur L. Bugay & Associates, P.C.	
Address:	Times Building Suburban Square	
	32 Parking Plz Ste 401	
	Ardmore, PA 19003	
Phone No:	(215) 571-4984	
Receive Mail:	Yes	
Receive EMail:	Yes	Email:
Representing:	Pennsylvania Association for Justice, Amicus Curiae	
Pro Se:	No	
IFP Status:		

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SUPREME COURT INFORMATION

Appeal From: the Order of the Superior Court entered August 12, 2022 at No. 207 WDA 2019, Reversing the Order of the Court of Common Pleas of Westmoreland County entered January 15, 2019, at No. 1126 of 2018 and Remanding.

Probable Jurisdiction Noted: Docketed Date: April 18, 2023

Allocatur/Miscellaneous Granted: April 18, 2023 Allocatur/Miscellaneous Docket No.: 240 WAL 2022

Allocatur/Miscellaneous Grant Order: AND NOW, this 18th day of April, 2023, the Petition for Allowance of Appeal is GRANTED, LIMITED TO the issues set forth below. Allocatur is DENIED as to all remaining issues. The issues, rephrased for clarity, are:

(1) Do respondents' claims for damages against the manufacturer and seller of a firearm that was criminally or unlawfully misused by a third party constitute a prohibited qualified civil liability action pursuant to the Protection of Lawful Commerce in Arms Act of 2005, 15 U.S.C. §§7901-7903 (PLCAA)?

(2) Do respondents' claims fail to satisfy the product defect exception to the PLCAA when the discharge of the firearm was caused by an intentional trigger pull while the firearm was pointed at another person and resulted in a juvenile delinquency adjudication for involuntary manslaughter?

(3) Is the PLCAA a permissible exercise of the power of Congress pursuant to Article I, Section 8 of the U.S. Constitution, or does it instead violate the Tenth Amendment and principles of federalism?

Further, the applications for leave to submit amicus curiae briefs by the State of Montana and 11 Other States, and the Philadelphia Association of Defense Counsel, are GRANTED.

FEE INFORMATION

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

Court Name: Superior Docket Number: 207 WDA 2019

Date of Order: August 12, 2022 Rearg/Recon Disp Date:
Rearg/Recon Disposition:

Judge(s): Panella, Jack A.
Bender, John T.
Bowes, Mary Jane
Lazarus, Anne E.
Olson, Judith F.
Dubow, Alice B.
Kunselman, Deborah A.
Murray, Mary P.
McCaffery, Daniel D.

Intermediate Appellate Court Action: Order Reversed. Case Remanded.

Referring Court:

AGENCY/TRIAL COURT INFORMATION

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Court Below: Westmoreland County Court of Common Pleas
 County: Westmoreland Division: Westmoreland County Civil Division
 Date of Agency/Trial Court Order: January 15, 2019
 Docket Number: 1126 of 2018
 Judge(s): Smail, Harry F. OTN:
 Order Type: Order

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content/Description
Original Record	April 20, 2023	1 part Original Record
Trial Court Opinion	April 20, 2023	
Transcript(s)	April 20, 2023	2

Record Remittal: April 17, 2025

BRIEFING SCHEDULE

Amicus Curiae

Everytown for Gun Safety Support Fund
Brief

Due: Filed: August 30, 2023

Federalism Scholars

Brief

Due: Filed: June 29, 2023

Pennsylvania Association for Justice

Brief

Due: Filed: August 30, 2023

Pennsylvania Office of Attorney General

Brief

Due: Filed: August 30, 2023

Philadelphia Association of Defense Counsel

Brief

Due: Filed: June 29, 2023

State of Montana

Brief

Due: Filed: June 29, 2023

The Pennsylvania Defense Institute

Brief

Due: Filed: June 29, 2023

Appellant

Springfield, Inc., et al.**Brief**

Due: May 30, 2023 Filed: June 29, 2023

Appellee

Mark Gustafson, et al.**Brief**

Due: August 30, 2023 Filed: August 30, 2023

Reply Brief

Due: Filed: October 6, 2023

The United States of America

Brief

Due: August 30, 2023 Filed: August 30, 2023

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BRIEFING SCHEDULE

Appellant**Springfield, Inc., et al.****Reply Brief**

Due: October 2, 2023

Filed: October 2, 2023

Reproduced Record

Due: June 29, 2023

Filed: June 29, 2023

Appellant Amicus Curiae**The National Shooting Sports Foundation, Inc.****Brief**

Due: May 30, 2023

Filed: June 29, 2023

SESSION INFORMATION

Journal Number: J-22-2024
 Listed/Submitted Date: April 9, 2024
 Consideration Type: Oral Argument Supreme Ct.

DISPOSITION INFORMATION

Related Journal No:	J-22-2024	Judgment Date:	March 31, 2025
Category:	Decided	Disposition Author:	Mundy, Sallie U.
Disposition:	Vacated/Remanded	Disposition Date:	March 31, 2025
Dispositional Filing:	Majority Opinion	Author:	Mundy, Sallie U.
Filed Date:	March 31, 2025		
Justice:	Todd, Debra	Vote:	Joins
Justice:	Donohue, Christine	Vote:	Joins
Justice:	Dougherty, Kevin M.	Vote:	Joins
Justice:	Wecht, David N.	Vote:	Joins
Justice:	Brobson, P. Kevin	Vote:	Joins
Justice:	McCaffery, Daniel D.	Vote:	Did Not Participate in
			Consid/Decision of Case

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
April 18, 2023	Allocatur Granted		Per Curiam

Comments:

AND NOW, this 18th day of April, 2023, the Petition for Allowance of Appeal is GRANTED, LIMITED TO the issues set forth below. Allocatur is DENIED as to all remaining issues. The issues, rephrased for clarity, are:

(1) Do respondents' claims for damages against the manufacturer and seller of a firearm that was criminally or unlawfully misused by a third party constitute a prohibited qualified civil liability action pursuant to the Protection of Lawful

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
Commerce in Arms Act of 2005, 15 U.S.C. §§7901-7903 (PLCAA)?			
(2) Do respondents' claims fail to satisfy the product defect exception to the PLCAA when the discharge of the firearm was caused by an intentional trigger pull while the firearm was pointed at another person and resulted in a juvenile delinquency adjudication for involuntary manslaughter?			
(3) Is the PLCAA a permissible exercise of the power of Congress pursuant to Article I, Section 8 of the U.S. Constitution, or does it instead violate the Tenth Amendment and principles of federalism?			
Further, the applications for leave to submit amicus curiae briefs by the State of Montana and 11 Other States, and the Philadelphia Association of Defense Counsel, are GRANTED.			
April 19, 2023	Application to be Admitted Pro Hac Vice		
	The United States of America	Appellee	Irwin, Laura Schleich
April 20, 2023	Order Granting Application to be Admitted Pro Hac Vice		
			Ceraso, Betsy
Comments: AND NOW, this 20th day of April, 2023, the application for admission pro hac vice of Laura Myron, Esq. is granted. The application for waiver of the fee for admission pro hac vice is granted.			
April 20, 2023	Order Exited		
			Office of the Prothonotary
April 20, 2023	Superior Court Record Received		
			Superior Court of Pennsylvania
May 9, 2023	Application for Extension of Time to File Brief - First Request		
	Appellant		Springfield, Inc.
	Appellant		Saloom Department Store
	Appellant		Saloom Dept. Store. LLC
May 10, 2023	Answer to Application for Extension of Time to File Brief		
	Appellee		Gustafson, Mark
	Appellee		Gustafson, Leah
	Appellee		Estate of James Robert Gustafson
May 10, 2023	Order Granting Application for Extension of Time to File Appellant Brief		
			Ceraso, Betsy
Comments: AND NOW, this 10th day of May, 2023, the application for extension of time is GRANTED. The Appellants' brief shall be served and filed on or before June 29, 2023.			
May 10, 2023	Order Exited		
			Office of the Prothonotary
June 29, 2023	Federalism Scholars Amicus Brief		
	Amicus Curiae		Federalism Scholars
June 29, 2023	The National Shooting Sports Foundation, Inc. Amicus Brief		
	Appellant Amicus Curiae		The National Shooting Sports Foundation, Inc.

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
June 29, 2023	Philadelphia Association of Defense Counsel and The PA Defense Institute Amicus Brief	Amicus Curiae	Philadelphia Association of Defense Counsel
		Amicus Curiae	The Pennsylvania Defense Institute
June 29, 2023	State of Montana Amicus Brief	Amicus Curiae	State of Montana
June 29, 2023	Appellant's Brief	Appellant	Springfield, Inc., et al.
June 29, 2023	Appellant's Reproduced Record Filed	Appellant	Springfield, Inc., et al.
July 3, 2023	Application for Extension of Time to File Brief - First Request	Appellee	Mark Gustafson, et al.
July 6, 2023	Answer to Application for Extension of Time to File Brief	Appellant	Springfield, Inc., et al.
July 10, 2023	Order Granting Application for Extension of Time to File Appellee Brief		Ceraso, Betsy
Comments: AND NOW, this 10th day of July, 2023, the application for extension of time to file brief is granted in part. The Appellees' brief shall be served and filed on or before August 30, 2023.			
July 10, 2023	Order Exited		Office of the Prothonotary
August 30, 2023	Acknowledgement of Argument Notice Springfield, Inc., et al.	Appellant	Renzulli, Christopher
August 30, 2023	Pennsylvania Office of Attorney General Amicus Brief	Amicus Curiae	Pennsylvania Office of Attorney General
August 30, 2023	The United States of America Appellee's Brief	Appellee	The United States of America
August 30, 2023	Pennsylvania Association for Justice Amicus Brief	Amicus Curiae	Pennsylvania Association for Justice
August 30, 2023	Mark Gustafson, et al. Appellee's Brief	Appellee	Mark Gustafson, et al.
August 30, 2023	Everytown for Gun Safety Support Fund Amicus Brief	Amicus Curiae	Everytown for Gun Safety Support Fund
August 31, 2023	Praecepte for Appearance Pennsylvania Association for Justice	Amicus Curiae	Bugay, Arthur L.

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
September 1, 2023	Application for Extension of Time to File Reply Brief	Appellant	Springfield, Inc., et al.
September 5, 2023	Answer to Application for Extension of Time to File Brief	Appellee	Mark Gustafson, et al.
September 5, 2023	Order Granting Application for Extension of Time to File Brief		Ceraso, Betsy
September 13, 2023	Acknowledgement of Argument Notice The United States of America	Appellee	Irwin, Laura Schleich
September 28, 2023	Application for Leave to File Brief Nunc Pro Tunc	Appellee	The United States of America
October 2, 2023	Answer to Application for Nunc Pro Tunc Relief	Appellant	Springfield, Inc., et al.
October 2, 2023	Notice of Disclosure from Justice Wecht		Office of the Prothonotary
October 2, 2023	Answer to Application for Nunc Pro Tunc Relief	Appellee	Mark Gustafson, et al.
October 2, 2023	Appellant's Reply Brief	Appellant	Springfield, Inc., et al.
October 3, 2023	Application to be Admitted Pro Hac Vice Mark Gustafson, et al.	Appellee	Iverson, Kelly Kathleen
October 3, 2023	Acknowledgement of Argument Notice Mark Gustafson, et al.	Appellee	Iverson, Kelly Kathleen
October 4, 2023	Order Granting Application to be Admitted Pro Hac Vice		Ceraso, Betsy
Comments: AND NOW, this 4th day of October, 2023, the application for the admission pro hac vice of Jonathan E. Lowy, Esq. is GRANTED.			
October 4, 2023	Order Exited		Office of the Prothonotary
October 4, 2023	Order Granting Application for Leave to File Appellee's Brief Nunc Pro Tunc		Per Curiam
Comments: AND NOW, this 4th day of October, 2023, the Application for Leave to File Brief Nunc Pro Tunc is GRANTED. Appellees may file a brief in response to the brief filed by the United States of America within five days of the date of this order .			
October 4, 2023	Order Exited		Office of the Prothonotary
October 4, 2023	Application for Continuance of Argument	Appellee	Mark Gustafson, et al.

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Filed Date	Docket Entry / Representing	Participant Type	Filed By
October 5, 2023	Appellant's Answer to Application for Continuance of Argument	Appellant	Springfield, Inc., et al.
October 5, 2023	Answer to Application for Continuance of Argument	Appellee	The United States of America
October 6, 2023	Order Granting Application for Continuance		Gorman, Kaitlin A.
Comments: AND NOW, this 6th day of October, 2023, the "Verified Application for Continuance of Argument," filed by Appellees, is GRANTED. The parties will be notified once the matter is rescheduled for oral argument.			
October 6, 2023	Order Exited		Office of the Prothonotary
October 6, 2023	Appellee's Reply Brief	Appellee	Mark Gustafson, et al.
February 23, 2024	Acknowledgement of Argument Notice Mark Gustafson, et al.	Appellee	Iverson, Kelly Kathleen
February 27, 2024	Notice of Recusal on behalf of Justice McCaffery		Gorman, Kaitlin A.
February 27, 2024	Acknowledgement of Argument Notice Springfield, Inc., et al.	Appellant	Haselbarth, Shane
March 18, 2024	Acknowledgement of Argument Notice The United States of America	Appellee	Irwin, Laura Schleich
April 9, 2024	Argued Springfield, Inc., et al. Mark Gustafson, et al. The United States of America	Appellant Appellee Appellee	Renzulli, Christopher Lowy, Jonathan Elias Myron, Laura
April 9, 2024	Application for Leave to File Post-Submission Communication	Appellant	Springfield, Inc., et al.
March 31, 2025	Vacated/Remanded		Mundy, Sallie U.
Comments: Plaintiffs' action is a qualified civil liability action pursuant to the PLCAA and does not qualify under the Act's product liability exception. As such, the PLCAA operates to bar Plaintiffs' action. Further, the PLCAA is a valid exercise of Congress's Commerce Clause authority and does not violate the Tenth Amendment or principles of federalism. We therefore vacate the Superior Court's per curiam order reversing the trial court and remand for reinstatement of the trial court's order sustaining Defendants' preliminary objections in the nature of demurrer.			
Chief Justice Todd and Justices Donohue, Dougherty, Wecht and Brobson join the opinion.			
Justice McCaffery did not participate in the consideration or decision of this matter.			
March 31, 2025	Judgment Entered		Office of the Prothonotary

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April 17, 2025	Remitted		Office of the Prothonotary
April 25, 2025	Acknowledgement of Record Remittal		Westmoreland County Court of Common Pleas
June 23, 2025	Notice of Extension of Time Granted		Clerk of the U.S. Supreme Court
July 31, 2025	Petition for Writ of Certiorari		Clerk of the U.S. Supreme Court
December 18, 2025	Petition for Writ of Certiorari Denied - U.S. Supreme Court Appeal		Clerk of the U.S. Supreme Court

CROSS COURT ACTIONS

Docket Number: 207 WDA 2019
Docket Number: 240 WAL 2022