

Appeal Docket Sheet**Superior Court of Pennsylvania****Docket Number: 1874 EDA 2021****Page 1 of 5****May 1, 2024****CAPTION**

Bruce A. Rubin

v.

Paul A.R. Stewart,
Helm Legal Services, LLC and
Alisha Alejandro

Appeal of: Paul A. R. Stewart and Helm Legal Services, LLC

CASE INFORMATION

Initiating Document: Notice of Appeal

Case Status: Closed

Case Processing Status: March 8, 2022 Completed

Journal Number:

Case Category: Civil Case Type(s): Wrongful Use of Civil Process

CONSOLIDATED CASES**RELATED CASES**

Docket No / Reason	Type
1701 EDA 2021 Similar Issue(s)	Related
2554 EDA 2021 Similar Issue(s)	Related
2555 EDA 2021 Similar Issue(s)	Related
2633 EDA 2021 Similar Issue(s)	Related

SCHEDULED EVENT

Next Event Type:

Next Event Due Date:

COUNSEL INFORMATION**Appellant** Paul A.R. Stewart and Helm Legal Services, LLC

Pro Se: No

IFP Status:

Attorney: Del Bove, Christopher Smith
Law Firm: CALLAHAN & FUSCO, LLC
Address: Callahan & Fusco LLC
103 Eisenhower Pkwy Ste 400
Roseland, NJ 07068

Phone No: (201) 707-4587

Fax No:

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COUNSEL INFORMATION

Appellee Rubin, Bruce A.

Pro Se: No

IFP Status:

Attorney: Jubb, Lane Richard, Jr.

Address: Beasley Firm LLC
1125 Walnut St
Philadelphia, PA 19107

Phone No: (215) 592-1000

Fax No:

Attorney: Axelrod, Barbara

Law Firm: The Beasley Firm, LLC

Address: 1125 Walnut St
1125 Walnut St
Philadelphia, PA 19107-4995

Phone No: (215) 592-1000

Fax No:

Appellee Alejandro, Alisha

Pro Se: Yes

IFP Status:

Pro Se: Alisha Alejandro

Address: 328 East Rockland Street
Philadelphia, PA 19120

FEE INFORMATION

Fee Dt	Fee Name	Fee Amt	Receipt Dt	Receipt No	Receipt Amt
08/18/2021	Notice of Appeal	90.25	09/24/2021	2021-SPR-E-001089	90.25

AGENCY/TRIAL COURT INFORMATION

Order Appealed From:	July 20, 2021	Notice of Appeal Filed:	August 18, 2021
Order Type:	Order Entered		
Documents Received:	September 24, 2021		

Court Below:	Philadelphia County Court of Common Pleas	Division:	Philadelphia County Civil Division
County:	Philadelphia	OTN:	
Judge:	Allen, Jacqueline F.	Judicial District:	01
Docket Number:	181002397		

ORIGINAL RECORD CONTENT

Original Record Item	Filed Date	Content Description
Testimony	September 28, 2021	
Original Record	November 30, 2021	
Trial Court Opinion	November 30, 2021	
Original Record	November 30, 2021	

Date of Remand of Record: March 8, 2022

BRIEFING SCHEDULE

Appellant**Paul A.R. Stewart and Helm Legal Services, LLC****Brief**

Due: January 10, 2022

Appellee**Alejandro, Alisha****Brief**

Filed:

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BRIEFING SCHEDULE

Appellant

Paul A.R. Stewart and Helm Legal Services, LLC

Appellee

Rubin, Bruce A.

Brief

Reproduced Record

Due: January 10, 2022

Filed:

DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
September 24, 2021	Notice of Appeal Docketed	Appellant	Paul A.R. Stewart and Helm Legal Services, LLC
September 24, 2021	Docketing Statement Exited (Civil)		Superior Court of Pennsylvania
September 28, 2021	Transcripts of Testimony		Court Reporters, Digital Recording, and Interpreters Administration - First Judicial District of Pennsylvania
September 29, 2021	Entry of Appearance - Private Rubin, Bruce A.	Appellee	Axelrod, Barbara
September 29, 2021	Application to Quash Appeal Rubin, Bruce A.	Appellee	Axelrod, Barbara
October 12, 2021	Docketing Statement Received (Civil)	Appellant	Paul A.R. Stewart and Helm Legal Services, LLC
November 30, 2021	Trial Court Record Received		Philadelphia County Civil Division
November 30, 2021	Trial Court Opinion Received		Philadelphia County Civil Division
November 30, 2021	Sealed Trial Court Record Received - Sensitive Documents		Philadelphia County Civil Division
November 30, 2021	Briefing Schedule Issued		Superior Court of Pennsylvania
December 10, 2021	Order Denying Application to Quash Appeal		Per Curiam
	Comment: Upon consideration of the application by Appellee, Bruce A. Rubin, to quash the above-captioned appeal as interlocutory, the application is hereby DENIED WITHOUT PREJUDICE to Appellee to raise the issue, if properly preserved, in the appellate brief.		
December 17, 2021	Application for Relief	Appellant	Paul A.R. Stewart and Helm Legal Services, LLC
	Comment: Motion to Join the Attorney General of the Commonwealth of Pennsylvania to Instant Appeal		

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DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
January 3, 2022	Application for Consolidation	Appellant	Paul A.R. Stewart and Helm Legal Services, LLC
Comment: Motion to Consolidate Matters and Application for Extension of Time to File Appeal			
January 7, 2022	Application for Extension of Time to File Brief - First Request Paul A.R. Stewart and Helm Legal Services, LLC	Appellant	Del Bove, Christopher Smith
January 10, 2022	Answer to Application for Consolidation	Appellee	Rubin, Bruce A.
Comment: AND APPLICATION FOR EXTENSION OF TIME TO FILE APPELLANTS' BRIEF			
January 28, 2022	Dismissed Sua Sponte		Per Curiam
Comment: Upon consideration of the pending applications for relief in the abovecaptioned cases, the following is hereby ORDERED: The appeal at 1701 EDA 2021 is hereby DISMISSED as duplicative of the appeal at 2555 EDA 2021, which was properly taken from judgment entered following denial of post-trial motions. Melani v. Northwest Eng'g, Inc., 909 A.2d 404, 405 (Pa. Super 2006) (citing Pa.R.C.P. 227.4) (explaining that "[o]nce a post-trial motion is timely filed, judgment cannot be entered until the trial court enters an order disposing of the motion or the motion is denied by operation of law [120] days after the filing of the motion"); Prime Medica Assoc. v. Valley Forge Ins. Co., 970 A.2d 1149 (Pa. Super. 2009) (explaining that an order denying post-trial motions is interlocutory and not appealable until entry of final judgment), appeal denied, 989 A.2d 918 (Pa. 2010). The appeal at 1874 EDA 2021 is hereby DISMISSED as duplicative of the appeal at 2554 EDA 2021, which was properly taken from judgment entered following denial of post-trial motions. Melani, supra; Prime Medica, supra. The appeal at 2633 EDA 2021 is hereby DISMISSED as duplicative of the appeal at 2554 EDA 2021. The Prothonotary of this Court is DIRECTED to list the appeals at 2554 EDA 2021 and 2555 EDA 2021 consecutively for consideration by a panel of this Court. The Prothonotary of this Court is DIRECTED to transfer the original record from 1701 EDA 2021 to 2554 EDA 2021 and 2555 EDA 2021. Upon transfer of the record, the Prothonotary of this Court is DIRECTED to issue a briefing schedule at 2554 EDA 2021 and 2555 EDA 2021. In all other respects, the pending applications for relief are hereby DENIED.			
3/8/22 - ctf. copy of order dated 1/28/22 - exit to t/c			
March 8, 2022	Remitted to Lower Court or Agency		Superior Court of Pennsylvania
April 7, 2022	Trial Court Acknowledgement of Order		Philadelphia County Civil Division
April 7, 2022	Acknowledgement of Record Remittal		Philadelphia County Civil Division

DISPOSITION INFORMATION

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DISPOSITION INFORMATION

Final Disposition: Yes

Related Journal No:

Category: Disposed Before Decision

Disposition: Dismissed Sua Sponte

Disposition Comment: Upon consideration of the pending applications for relief in the abovecaptioned cases, the following is hereby ORDERED:

Judgment Date:

Disposition Author:

Per Curiam

Disposition Date:

January 28, 2022

The appeal at 1701 EDA 2021 is hereby DISMISSED as duplicative of the appeal at 2555 EDA 2021, which was properly taken from judgment entered following denial of post-trial motions. *Melani v. Northwest Eng'g, Inc.*, 909 A.2d 404, 405 (Pa. Super. 2006) (citing Pa.R.C.P. 227.4) (explaining that "[o]nce a post-trial motion is timely filed, judgment cannot be entered until the trial court enters an order disposing of the motion or the motion is denied by operation of law [120] days after the filing of the motion"); *Prime*

Medica Assoc. v. Valley Forge Ins. Co., 970 A.2d 1149 (Pa. Super. 2009) (explaining that an order denying post-trial motions is interlocutory and not appealable until entry of final judgment), appeal denied, 989 A.2d 918 (Pa. 2010).

The appeal at 1874 EDA 2021 is hereby DISMISSED as duplicative of the appeal at 2554 EDA 2021, which was properly taken from judgment entered following denial of post-trial motions. *Melani, supra*; *Prime Medica, supra*.

The appeal at 2633 EDA 2021 is hereby DISMISSED as duplicative of the appeal at 2554 EDA 2021. The Prothonotary of this Court is DIRECTED to list the appeals at 2554 EDA 2021 and 2555 EDA 2021 consecutively for consideration by a panel of this Court.

The Prothonotary of this Court is DIRECTED to transfer the original record from 1701 EDA 2021 to 2554 EDA 2021 and 2555 EDA 2021. Upon transfer of the record, the Prothonotary of this Court is DIRECTED to issue a briefing schedule at 2554 EDA 2021 and 2555 EDA 2021.

In all other respects, the pending applications for relief are hereby DENIED.

3/8/22 - ctf. copy of order dated 1/28/22 - exit to t/c

Dispositional Filing:

Filing Author:

Filed Date: