

Supreme Court of Pennsylvania



Appeal Docket Sheet

Docket Number: 55 EAP 2024

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March 17, 2025

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: Active

Journal Number:

Case Category: Civil Case Type(s): Mandamus

CONSOLIDATED CASES

RELATED CASES

COUNSEL INFORMATION

Attorney: Podraza, Joseph R.
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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:

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

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Pro Se: No

IFP Status:

Representing: Greenberg, Sandra, Appellant

Pro Se: No

IFP Status:



COUNSEL INFORMATION

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IFP Status:		
Representing:	Greenberg, Sandra, Appellant	
Pro Se:	No	
IFP Status:		

Attorney:	Diffily, Kelly Susan	
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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 A.
 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:

BRIEFING SCHEDULE

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



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
July 30, 2024	Allocatur Granted		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 .			
July 30, 2024	Commonwealth Court Record Electronically Transmitted		Commonwealth Court of Pennsylvania
August 5, 2024	Praecipe for Appearance Greenberg, Joshua M. Greenberg, Sandra	Appellant Appellant	Sargent, James C., Jr. Sargent, James C., Jr.
August 5, 2024	Application for Extension of Time to File Brief - First Request	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
August 6, 2024	Order Granting Application for Extension of Time to File Brief and Reproduced Record		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	Order Exited		Office of the Prothonotary
October 9, 2024	Appellant's Brief	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
October 9, 2024	Appellant's Reproduced Record Filed	Appellant	Greenberg, Joshua M.
November 6, 2024	Application for Extension of Time to File Brief - First Request	Appellee Appellee	Osbourne, Marlon City of Philadelphia Office of the Medical Examiner
November 12, 2024	Order Granting Application for Extension of Time to File Appellee Brief		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	Order Exited		Office of the Prothonotary



DOCKET ENTRY

Filed Date	Docket Entry / Representing	Participant Type	Filed By
December 12, 2024	Appellee's Brief	Appellee Appellee	Osbourne, Marlon City of Philadelphia Office of the Medical Examiner
December 19, 2024	Application for Extension of Time to File Brief - First Request	Appellant Appellant	Greenberg, Joshua M. Greenberg, Sandra
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

CROSS COURT ACTIONS

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