

SUPERIOR COURT OF PENNSYLVANIA

Goldner, K. v. Manigault, L.

Goldner v. Manigault, 2025 Pa. Super. 218 · No. 346 WDA 2025 · Decided September 26, 2025

SUMMARY

The Pennsylvania Superior Court affirmed an order granting a protection from abuse petition as to one child but denying it as to his younger sibling. The court held that witnessing abuse of a sibling did not establish that the younger child was abused or placed in reasonable fear of imminent serious bodily injury. It also held that Kayden’s Law did not apply to the PFA proceeding because the court was not conducting a custody determination.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Bowes, J.; Stabile, J.; Bender, P.J.E.
JURISDICTION	Pennsylvania Superior Court
DECIDED	September 26, 2025
DOCKET	346 WDA 2025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Mother appealed from a final protection-from-abuse order that granted relief as to one child, dismissed the petition as to the other child, and left the younger child in Father's existing primary custody.
STANDARD OF REVIEW	The court reviews legal conclusions in a PFA matter for error of law or abuse of discretion, defers to the trial court's credibility determinations, and views the evidence and reasonable inferences in the light most favorable to the party that prevailed below.
PRECEDENTIAL VALUE	Published precedential opinion of the Superior Court of Pennsylvania
PARTIES	Kezia Goldner, on behalf of minor children K.D.M. and K.M. v. Larry Anthony Manigault

TOPICS

- domestic violence
- family law procedure
- child custody
- appellate procedure
- standard of review

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion by failing to enter a PFA order for the younger child because he witnessed Father's abuse of his sibling.
2. Whether Kayden's Law required the trial court, in resolving the PFA petition, to conduct a custody best-interests analysis and impose safety conditions before leaving the younger child in Father's existing custody.

HOLDINGS

1. The trial court did not abuse its discretion or commit an error of law by dismissing the PFA petition as to the younger child because the record did not establish that Father physically abused him or that he was in reasonable fear that Father would inflict bodily injury on him.
2. Kayden's Law and 23 Pa.C.S. § 5323(e) do not apply unless and until a court is considering a custody matter under the Child Custody Act; a PFA court need not conduct a custody best-interests analysis or impose custody safety conditions merely because it dismisses a PFA petition as to a child who remains in a parent's existing custody.

KEY QUOTATIONS

“In describing the interplay between the two types of actions, we have explained that “[c]ustody wise, a PFA order is not designed to impose anything but emergency relief.”” (at 8)

“Therefore, contrary to Mother’s contention, the court was not required to apply § 5323(e) in this matter.” (at 9)

FACTUAL BACKGROUND

During a December 2024 dispute in a vehicle, Father slapped the older child, choked him, dragged him from the vehicle, punched him three times, and forced him back into the car. The younger child remained in the backseat and witnessed the altercation but was not physically or verbally abused during it. Mother filed a PFA petition on behalf of both children; after a hearing, the trial court granted a one-year PFA order as to the older child but dismissed the petition as to the younger child.

PROCEDURAL HISTORY

Mother filed a protection-from-abuse petition on behalf of both children after Father physically assaulted the older child during a car ride. The trial court entered a final one-year PFA order as to the older child but dismissed the petition as to the younger child, who had witnessed the incident. Mother appealed and separately filed a petition to modify custody. The Superior Court affirmed the PFA order and held that Kayden's Law did not apply to the PFA proceeding.

DISPOSITION

affirmed

CASES CITED

- E.K. v. J.R.A., 237 A.3d 509, 519 (Pa.Super. 2020)
- Kaur v. Singh, 259 A.3d 505, 509 (Pa.Super. 2021)
- S.W. v. S.F., 196 A.3d 224, 231 (Pa.Super. 2018)
- K.B. v. Tinsley, 208 A.3d 123, 127 (Pa.Super. 2019)
- T.K. v. A.Z., 157 A.3d 974, 977 (Pa.Super. 2017)
- Velasquez v. Miranda, 321 A.3d 876, 886 n.6 (Pa. 2024)
- C.H.L. v. W.D.L., 214 A.3d 1272, 1281-83 (Pa.Super. 2019)

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