

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Swift, J.

No. 123 WAL 2025 (Pa. Jan. 15 2026) · No. 123 WAL 2025 · Decided January 15, 2026

SUMMARY

The Supreme Court of Pennsylvania granted allowance of appeal in part to consider whether separate, consecutive sentences for two counts of Arson-Endangering Property constituted an illegal sentence under the applicable statute. The court vacated the Superior Court's order and remanded for reconsideration in light of Commonwealth v. Smith, while denying allowance of appeal on all remaining issues.

OPINION

PER CURIAM.

IN THE SUPREME COURT OF PENNSYLVANIA WESTERN DISTRICT
COMMONWEALTH OF PENNSYLVANIA,; No. 123 WAL 2025 Respondent:: Petition for Allowance of Appeal: from the Unpublished v.: Memorandum and Order of the: Superior Court at No. 860 WDA: 2023 entered on April 10, 2025, JAMES MICHAEL SWIFT,; affirming the Judgment of Sentence: of the Allegheny County Court of Petitioner: Common Pleas at No. CP-02-CR-: 0010274-2019 entered on June 28, 2023 ORDER PER CURIAM AND NOW, this 15th day of January, 2026, the Petition for Allowance of Appeal is GRANTED, LIMITED TO the following issue, stated by Petitioner: Did the sentencing court impose an illegal sentence by imposing separate, consecutive sentences for Swift's convictions for two counts of Arson-Endangering Property, where the statute providing for the offense, properly construed according to the rules of statutory interpretation, provided for a single sentence no matter how many properties were endangered?

The Superior Court's order is VACATED, and this matter is REMANDED for reconsideration in light of Commonwealth v. Smith, --- A.3d ---, 2025 WL 3229045 (Pa. filed Nov. 19, 2025). Allowance of appeal is DENIED as to all remaining issues.