

SUPERIOR COURT OF PENNSYLVANIA

Commonwealth v. Shields

2025 Pa. Super. 241 · No. 2090 EDA 2024 · Decided October 24, 2025

SUMMARY

The Pennsylvania Superior Court reviews Charles Shields’s appeal from the dismissal of his first PCRA petition. The court addresses newly raised claims of prior PCRA counsel’s ineffectiveness under Commonwealth v. Bradley, including claims concerning undisclosed eyewitness identification information and the legality of consecutive sentences for inchoate offenses. The court vacates the PCRA dismissal and remands for consideration of one newly raised ineffectiveness claim.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Murray, J.; Olson, J.; Ford Elliott, P.J.E.
JURISDICTION	Pennsylvania Superior Court
DECIDED	October 24, 2025
DOCKET	2090 EDA 2024
DISPOSITION	vacated
PROCEDURAL POSTURE	Appeal from the dismissal of a timely first petition under Pennsylvania's Post Conviction Relief Act. Appellant raised, for the first time on appeal through new PCRA counsel, claims concerning prior PCRA counsel's ineffectiveness under Commonwealth v. Bradley.
STANDARD OF REVIEW	The Superior Court reviewed the dismissal of the PCRA petition to determine whether the PCRA court's order was supported by the record and free of legal error, viewing the record in the light most favorable to the prevailing party below. Legal questions concerning Brady violations were reviewed de novo with plenary scope.
PRECEDENTIAL VALUE	Published precedential opinion of the Superior Court of Pennsylvania.
PARTIES	Charles Shields v. Commonwealth of Pennsylvania

TOPICS

- state post-conviction relief
- ineffective assistance
- sentencing
- appellate procedure
- criminal procedure

PRACTICE AREAS

criminal procedure

post-conviction relief

sentencing

appellate procedure

QUESTIONS PRESENTED

1. Whether the Commonwealth violated due process by allegedly failing to disclose that an eyewitness did not identify Appellant in a photographic array, and whether prior PCRA counsel was ineffective for failing to raise that claim.
2. Whether Appellant's consecutive sentences for attempted kidnapping and conspiracy violated 18 Pa.C.S. § 906 because the jury did not specify the object of the conspiracy.
3. Whether prior PCRA counsel was ineffective for failing to challenge the legality of Appellant's sentence.

HOLDINGS

1. The Brady claim was facially meritless because the alleged non-identification was consistent with and cumulative of the eyewitness's trial testimony that she could not identify the perpetrators.
2. The court vacated the order dismissing the PCRA petition and remanded for the PCRA court to consider, in the first instance, Appellant's claim that prior PCRA counsel was ineffective for failing to challenge the legality of his consecutive sentences for attempted kidnapping and conspiracy.

KEY QUOTATIONS

“In some instances, the record before the appellate court will be sufficient to allow for disposition of any newly-raised ineffectiveness claims. However, in other cases, the appellate court may need to remand to the PCRA court for further development of the record and for the PCRA court to consider such claims as an initial matter.” (28)

“Based upon the foregoing, pursuant to Bradley and its progeny, we are constrained to vacate the July 10, 2024, order dismissing Appellant’s PCRA petition and remand this case for further proceedings on Appellant’s claim of first PCRA counsel’s IAC, in connection with the underlying legality of sentence challenge.” (33)

FACTUAL BACKGROUND

On November 17, 2012, Dwayne Walters was confronted in the parking lot of his apartment complex by Lamar Roane, Charles Shields, and Thomas Shields. Thomas displayed a handgun and demanded money, while Charles took Walters's property and forced him into a vehicle; Walters escaped and was shot in the back as the assailants fled in his rental car. Police recovered ballistic evidence and cellphone data, and Walters identified Charles and Thomas from photographic arrays. A jury later convicted Charles of aggravated assault, attempted kidnapping, and conspiracy, although the verdict did not specify the object of the conspiracy.

PROCEDURAL HISTORY

Appellant was convicted after a 2014 jury trial and received an aggregate sentence of 21 to 42 years' imprisonment. His judgment of sentence was affirmed on direct appeal. The PCRA court initially granted relief and ordered a new trial, but the Superior Court twice remanded for further proceedings, ultimately directing the PCRA court to address an unresolved ineffectiveness claim concerning jury instructions. The PCRA court then

dismissed that claim, and Appellant appealed. On appeal, new PCRA counsel raised additional claims concerning alleged Brady material and the legality of the sentence for conspiracy. The Superior Court rejected the Brady claim as facially meritless but vacated the dismissal and remanded for the PCRA court to consider the newly raised layered ineffectiveness claim concerning the legality of sentence.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The PCRA court must consider Appellant's newly raised claim that prior PCRA counsel was ineffective for failing to challenge the legality of the sentence imposed on the conspiracy conviction. The court should address the jury's conspiracy verdict, whether the jury instruction included kidnapping or attempted kidnapping as an object, the significance of the purported conspiracy jury question, and the merits of the layered ineffectiveness and sentencing claims.

CASES CITED

- Commonwealth v. Shields, 323 A.3d 181, 543 EDA 2023 (Pa. Super. 2024) (unpublished memorandum)
- Commonwealth v. Bradley, 261 A.3d 381 (Pa. 2021)
- Commonwealth v. Stahl, 292 A.3d 1130 (Pa. Super. 2023)
- Commonwealth v. Treiber, 121 A.3d 435 (Pa. 2015)
- Commonwealth v. Lawrence, 309 A.3d 152 (Pa. Super. 2024)
- Commonwealth v. Parrish, 273 A.3d 989 (Pa. 2022)
- Commonwealth v. Burkett, 5 A.3d 1260 (Pa. Super. 2010)
- Commonwealth v. Drummond, 285 A.3d 625 (Pa. 2022)
- Commonwealth v. Conforti, 303 A.3d 715 (Pa. 2023)
- Brady v. Maryland, 373 U.S. 83 (1963)
- Commonwealth v. Bagnall, 235 A.3d 1075 (Pa. 2020)
- Commonwealth v. Smith, 17 A.3d 873 (Pa. 2011)
- Commonwealth v. Mickleals, 335 A.3d 13 (Pa. Super. 2025)
- Commonwealth v. Johnson, 335 A.3d 685 (Pa. 2025)
- Commonwealth v. Simpson, 66 A.3d 253 (Pa. 2013)
- Commonwealth v. Wholaver, 177 A.3d 136 (Pa. 2018)
- Commonwealth v. Natividad, 938 A.2d 310 (Pa. 2007)
- Commonwealth v. Lawrence, 313 A.3d 265 (Pa. Super. 2024)
- Commonwealth v. Riley, 811 A.2d 610 (Pa. Super. 2002)
- Commonwealth v. Greer, 316 A.3d 623 (Pa. 2024)
- Commonwealth v. Scolieri, 813 A.2d 672 (Pa. 2002)
- Commonwealth v. Mason, 130 A.3d 601 (Pa. 2015)

- Commonwealth v. Shaw, 247 A.3d 1008 (Pa. 2021)
- Commonwealth v. Koehler, 229 A.3d 915 (Pa. 2020)

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