

SUPERIOR COURT OF PENNSYLVANIA

Commonwealth v. Warren

2025 Pa. Super. 290 (Superior Court of Pennsylvania 2025) · No. 427 MDA 2025 · Decided December 29, 2025

SUMMARY

The Pennsylvania Superior Court affirmed Zy’Won Saeed Warren’s judgment of sentence following convictions for possession with intent to deliver a controlled substance, possession of a small amount of marijuana, and defiant trespass. The court held that police had reasonable suspicion to detain Warren, that the evidence was sufficient to support the defiant-trespass conviction, and that the sentencing and gang-affiliation issues did not warrant relief. The provided text ends before the opinion’s complete discussion and disposition of all sentencing issues.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	President Judge Emeritus Panella; President Judge Lazarus; Judge Murray
JURISDICTION	Pennsylvania Superior Court
DECIDED	December 29, 2025
DOCKET	427 MDA 2025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment of sentence entered after a nonjury trial and denial of an omnibus pretrial suppression motion.
STANDARD OF REVIEW	Suppression rulings are reviewed for whether the factual findings are supported by the record and whether the legal conclusions are correct; factual findings supported by the record are binding, legal questions are reviewed de novo, and credibility determinations belong to the suppression court. Sufficiency is reviewed by determining whether, viewing the evidence and reasonable inferences in the light most favorable to the verdict winner, the evidence supports each element beyond a reasonable doubt. Discretionary sentencing claims are reviewed for manifest abuse of discretion. Evidentiary rulings are reviewed for abuse of discretion.
PRECEDENTIAL VALUE	Published Pennsylvania Superior Court opinion
PARTIES	Zy’Won Saeed Warren v. Commonwealth of Pennsylvania

TOPICS

suppression of evidence

fourth amendment

search and seizure

criminal procedure

sentencing

PRACTICE AREAS

criminal procedure

constitutional law

sentencing

evidence

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QUESTIONS PRESENTED

1. Whether police had reasonable suspicion to conduct an investigative detention and seizure of Warren.
2. Whether the evidence was sufficient to support Warren's conviction for defiant trespass.
3. Whether the sentencing court abused its discretion by imposing an aggravated-range sentence based on the circumstances of the conduct and its effect on the community.
4. Whether the sentencing court erred by permitting gang-affiliation evidence and expert testimony, including an allegedly undisclosed expert report.

HOLDINGS

1. The suppression court properly denied the motion to suppress because the totality of the circumstances—including Warren's flight from a breezeway in a high-crime area while wearing a full-face mask and the officers' other observations—provided a particularized and objective basis for reasonable suspicion that criminal activity was afoot.
2. The evidence was sufficient to establish that Warren entered and remained on private property without a right to do so, knew he lacked a license or privilege to be there, and received notice against trespass through a posted sign.
3. The sentencing court did not abuse its discretion by imposing an aggravated-range sentence within the sentencing guidelines based on the nature and circumstances of Warren's conduct, its impact on the community, and other permissible sentencing considerations.
4. Even assuming the admission of gang-affiliation evidence was erroneous, any error was harmless because the sentencing court expressly declined to rely on that evidence and based the aggravated sentence on independent, proper considerations.

KEY QUOTATIONS

"Reasonable suspicion exists only where the officer is able to articulate specific observations which, in conjunction with reasonable inferences derived from those observations, led him reasonably to conclude, in light of his experience, that criminal activity was afoot and that the person he stopped was involved." (at 7)

"Accordingly, to sustain a conviction under Section 3503(b)(1), the Commonwealth must prove, beyond a reasonable doubt, that the defendant: "(1) entered or remained upon property without a right to do; (2) while knowing that he had no license or privilege to be on the property; and (3) after receiving direct or indirect notice against trespass."" (at 11-12)

“In imposing an aggravated-range sentence, the lower court is permitted to consider any legal factor.” (at 17)

“Accordingly, as the Commonwealth correctly contends, regardless of whether the trial court erred in admitting evidence of Warren’s alleged gang affiliation, the prejudicial effect of any such error could not have contributed to the outcome where the court “explicitly disclaimed reliance upon it and articulated separate, independent, and proper grounds” for imposing an aggravated range sentence.” (at 21-22)

FACTUAL BACKGROUND

On March 24, 2021, police observed a vehicle traveling above the speed limit, occupants wearing full-face masks, evasive driving, and masked individuals moving among properties and repeatedly entering and leaving a breezeway at 152 Lafayette Street. A yellow no-trespassing sign was posted at the property, and police had the homeowner’s information on file for enforcement. When officers approached, the individuals fled; Detective Thompson caught Warren and recovered marijuana, six baggies of crack cocaine, a cellphone, \$350, and a digital scale with white residue. Two other individuals in the group possessed firearms, although Warren was not found with a firearm.

PROCEDURAL HISTORY

Warren was convicted in the York County Court of Common Pleas of possession with intent to deliver a controlled substance, possession of a small amount of marijuana, and defiant trespass. The trial court denied his suppression motion, imposed a sentence including an aggravated-range sentence of 24 to 48 months’ incarceration for PWID, denied his post-sentence motion, and Warren appealed. The Superior Court affirmed the judgment of sentence.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Hoyle, 337 A.3d 544, 561 (Pa. Super. 2025)
- Commonwealth v. Rice, 304 A.3d 1255, 1260-61 (Pa. Super. 2023)
- Commonwealth v. McCoy, 154 A.3d 813, 819 (Pa. Super. 2017)
- Commonwealth v. Lewis, 343 A.3d 1016, 1035-36 (Pa. 2025)
- Commonwealth v. Riley, 302 A.3d 112, 115 (Pa. Super. 2023)
- Commonwealth v. Powanda, 304 A.3d 1284, 1288-89 (Pa. Super. 2023)
- Commonwealth v. Baker, 311 A.3d 12, 18 (Pa. Super. 2024)
- Commonwealth v. Agugliaro, 342 A.3d 105, 115-16 (Pa. Super. 2025)
- Commonwealth v. Pisarchuk, 306 A.3d 872, 878-80 (Pa. Super. 2023)
- Commonwealth v. Salter, 290 A.3d 741, 748-49 (Pa. Super. 2023)
- Commonwealth v. Mouzon, 812 A.2d 617, 621 n.4 (Pa. Super. 2002)

- Commonwealth v. Greene, 340 A.3d 324, 328-29 (Pa. Super. 2025)
- Commonwealth v. Bowens, 265 A.3d 730, 764 (Pa. Super. 2021) (en banc)

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