

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Chisebwe

No. 322 MAL 2022, 323 MAL 2022, 324 MAL 2022, 325 MAL 2022, Supreme Court of Pennsylvania (January 19, 2023)

SUMMARY

The Pennsylvania Supreme Court granted allocatur limited to two issues: whether the evidence was sufficient to support convictions under 75 Pa.C.S. §1511 (carrying and exhibiting driver's license on demand) and §1311 (registration card to be signed and exhibited on demand) where the petitioner initially refused to present the documents during a lawful traffic stop. The case addresses the statutory interpretation of the "on demand" requirement and the sufficiency of evidence for a conviction based on initial refusal.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
JURISDICTION	Pennsylvania
DECIDED	January 19, 2023
DOCKET	322 MAL 2022, 323 MAL 2022, 324 MAL 2022, 325 MAL 2022
DISPOSITION	writ_granted
PROCEDURAL POSTURE	Petition for Allowance of Appeal from the Superior Court
PRECEDENTIAL VALUE	published
PARTIES	Daniel D. Chisebwe v. Commonwealth of Pennsylvania

TOPICS

- appellate procedure
- criminal procedure
- statutory interpretation

PRACTICE AREAS

- criminal law

QUESTIONS PRESENTED

1. Was the evidence sufficient to support the conviction under 75 Pa.C.S. §1511 (Carrying and exhibiting driver’s license on demand), where petitioner initially refused to present his driver’s license to the police upon demand during a lawful traffic stop?

2. Was the evidence sufficient to support the conviction under 75 Pa.C.S. §1311 (Registration card to be signed and exhibited on demand), where petitioner initially refused to present his registration card to the police upon demand during a lawful traffic stop?

KEY QUOTATIONS

“AND NOW, this 19th day of January, 2023, the Petition for Allowance of Appeal is GRANTED, LIMITED TO the issues set forth below. Allocatur is DENIED as to all remaining issues. The issues, rephrased for clarity, are: (1) Was the evidence sufficient to support the conviction under 75 Pa.C.S. §1511 (Carrying and exhibiting driver’s license on demand), where petitioner initially refused to present his driver’s license to the police upon demand during a lawful traffic stop? (2) Was the evidence sufficient to support the conviction under 75 Pa.C.S. §1311 (Registration card to be signed and exhibited on demand), where petitioner initially refused to present his registration card to the police upon demand during a lawful traffic stop?”

FACTUAL BACKGROUND

During a lawful traffic stop, petitioner Daniel D. Chisebwe initially refused to present his driver's license and registration to the police upon demand.

PROCEDURAL HISTORY

The Supreme Court of Pennsylvania granted allocatur limited to two issues regarding sufficiency of evidence for refusing to produce driver's license and registration during a lawful traffic stop.

DISPOSITION

writ_granted

OPINION

PER CURIAM.

IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT COMMONWEALTH OF PENNSYLVANIA,; No. 322 MAL 2022 Respondent:: Petition for Allowance of Appeal: from the Order of the Superior Court v.: DANIEL D. CHISEBWE,; Petitioner: COMMONWEALTH OF PENNSYLVANIA,; No. 323 MAL 2022 Respondent:: Petition for Allowance of Appeal: from the Order of the Superior Court v.: DANIEL D. CHISEBWE,; Petitioner: COMMONWEALTH OF PENNSYLVANIA,; No. 324 MAL 2022 Respondent:: Petition for Allowance of Appeal: from the Order of the Superior Court v.: DANIEL D. CHISEBWE,; Petitioner: COMMONWEALTH OF PENNSYLVANIA,; No. 325 MAL 2022 Respondent:: Petition for Allowance of Appeal: from the Order of the Superior Court v.: DANIEL D. CHISEBWE,; Petitioner: ORDER PER CURIAM AND NOW, this 19th day of January, 2023, the Petition for Allowance of Appeal is GRANTED, LIMITED TO the issues set forth below.

Allocatur is DENIED as to all remaining issues. The issues, rephrased for clarity, are: (1) Was the evidence sufficient to support the conviction under 75 Pa.C.S. §1511 (Carrying and exhibiting driver's license on demand), where petitioner initially refused to present his driver's license to the police upon demand during a lawful traffic stop?

(2) Was the evidence sufficient to support the conviction under 75 Pa.C.S. §1311 (Registration card to be signed and exhibited on demand), where petitioner initially refused to present his registration card to the police upon demand during a lawful traffic stop? [322 MAL 2022, 323 MAL 2022, 324 MAL 2022 and 325 MAL 2022] - 2