

SUPERIOR COURT OF PENNSYLVANIA

Commonwealth v. Hereford

2025 Pa. Super. 81 · No. 1162 WDA 2022 · Decided April 8, 2025

SUMMARY

This is a dissenting opinion by President Judge Lazarus in Commonwealth v. Hereford concerning the denial of a petition under Pennsylvania's Post Conviction Relief Act. The dissent concludes that the PCRA court's credibility findings regarding newly discovered eyewitness testimony were unsupported by the record and would reverse the order and remand for a new trial.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Lazarus, P.J.; Panella, P.J.E.; Stabile, J.; Dubow, J.; Kunselman, J.; Murray, J.; McLaughlin, J.; Sullivan, J.; Beck, J.
JURISDICTION	Pennsylvania Superior Court
DECIDED	April 8, 2025
DOCKET	1162 WDA 2022
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the order dismissing Hereford's petition under the Post Conviction Relief Act.
STANDARD OF REVIEW	A PCRA court's factual findings and credibility determinations are binding on appeal when supported by the record; credibility determinations remain subject to appellate review for record support.
PRECEDENTIAL VALUE	Published; dissenting opinion
PARTIES	Isaiah Hereford v. Commonwealth of Pennsylvania

TOPICS

- post-conviction relief
- actual innocence
- evidence
- appellate procedure
- standard of review

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- evidence
- appellate procedure

QUESTIONS PRESENTED

1. Whether the PCRA court's finding that Quentin Ingram was not credible was supported by the record.
2. Whether Ingram's testimony satisfied the four-prong test for after-discovered evidence warranting a new trial.
3. Whether the newly discovered testimony would likely result in a different verdict.

HOLDINGS

1. The dissent would conclude that the PCRA court's finding that Ingram was not credible was unsupported by the record because the court relied on a cursory analysis and facts not supported by the trial transcript.
2. The dissent would conclude that Ingram's testimony met all four requirements for after-discovered evidence: it could not have been obtained earlier with due diligence, was not merely cumulative or corroborative, was not offered solely to impeach, and would likely produce a different verdict.

KEY QUOTATIONS

“The PCRA court’s credibility determinations, when supported by the record, are binding on this Court.” (6)

“In order to succeed on an after-discovered evidence claim, a petitioner must demonstrate that the evidence:”
(8)

“Therefore, in my view, it is likely that Ingram’s testimony that Hereford was not one of the shooters, would result in a different verdict.” (15)

FACTUAL BACKGROUND

Three people were killed and two survived after two armed men entered an apartment in Crawford Village and opened fire. At trial, surviving witnesses gave conflicting accounts concerning which gunman carried a revolver, which carried a semiautomatic handgun, whether one gunman spoke, and the relative heights of the perpetrators; Marcus identified Hereford as one gunman. At the PCRA hearing, Quentin Ingram testified that he saw two masked men near and entering the apartment immediately before the shooting, that both were taller than Hereford and darker-skinned, and that neither was Hereford. The dissent concluded that this testimony was corroborated in material respects and that the PCRA court's credibility findings were unsupported by the record.

PROCEDURAL HISTORY

Hereford sought PCRA relief based on newly discovered evidence, including testimony from Quentin Ingram concerning the two men he observed near the victims' apartment before the shootings. After an evidentiary hearing, the PCRA court found Ingram not credible and concluded that the new evidence would not likely produce a different verdict. The Majority affirmed the PCRA court's order; Lazarus, P.J., dissented and would reverse and remand for a new trial.

DISPOSITION

affirmed

REMAND INSTRUCTIONS

The Majority affirmed the order dismissing the PCRA petition. In dissent, Lazarus, P.J., would reverse and remand for a new trial.

CASES CITED

- Commonwealth v. Mason, 130 A.3d 601, 617 (Pa. 2015)
- Commonwealth v. Medina, 92 A.3d 1210, 1218 (Pa. Super. 2014)
- Commonwealth v. Small, 189 A.3d 961, 974 (Pa. 2018)
- Commonwealth v. Padillas, 997 A.2d 356, 365 (Pa. Super. 2010)

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