

SUPERIOR COURT OF PENNSYLVANIA

Commonwealth v. Zealor

2026 Pa. Super. 81 · No. 825 EDA 2025 · Decided April 22, 2026

SUMMARY

The Pennsylvania Superior Court reviews Edward Joseph Zealor’s appeal from convictions and sentence for fifty counts of possessing child sexual abuse material. The court addresses whether administrative subpoenas issued under Pennsylvania’s Stored Wire and Electronic Communications and Transactional Records Access Act unlawfully obtained constitutionally protected information, exceeded the statute’s scope, or were improperly served on foreign corporations. The court concludes that Zealor lacked a reasonable expectation of privacy in the relevant IP address and peer-to-peer connection information and affirms the judgment of sentence.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Sullivan, J.; Lazarus, P.J.; Dubow, J.
JURISDICTION	Pennsylvania Superior Court
DECIDED	April 22, 2026
DOCKET	825 EDA 2025
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment of sentence entered after a stipulated bench trial and convictions on fifty counts of possessing child sexual abuse material.
STANDARD OF REVIEW	The appellate court determines whether the suppression court's factual findings are supported by the record and whether its legal conclusions are correct. Supported factual findings are binding, but legal conclusions are reviewed de novo and plenary review applies to legal questions.
PRECEDENTIAL VALUE	Published and precedential
PARTIES	Edward Joseph Zealor v. Commonwealth of Pennsylvania

TOPICS

- suppression of evidence
- fourth amendment
- search and seizure
- statutory interpretation
- appellate procedure

PRACTICE AREAS

criminal procedure

constitutional law

evidence

statutory interpretation

appellate procedure

QUESTIONS PRESENTED

1. Whether administrative subpoenas issued under 18 Pa.C.S.A. § 5743.1 obtained constitutionally protected information without a warrant supported by probable cause.
2. Whether the administrative subpoenas obtained payment information and IP-address connection logs beyond the information authorized by § 5743.1.
3. Whether administrative subpoenas served on foreign corporations outside Pennsylvania violated 42 Pa.C.S.A. § 5964 or otherwise exceeded the Commonwealth's jurisdiction.

HOLDINGS

1. Zealor had no reasonable expectation of privacy in the information obtained through the subpoenas. The information concerned basic subscriber information and voluntarily exposed IP-address and peer-to-peer connection information, so neither the Fourth Amendment nor Article I, Section 8 of the Pennsylvania Constitution was implicated.
2. Even assuming the subpoenas sought payment information and IP-address connection logs outside the scope of § 5743.1(a)(1)(ii)(A), the alleged violation was nonconstitutional and did not justify suppression.
3. The subpoenas were properly authorized under § 5743.1 and were not subject to Pa.R.Crim.P. 200 or 42 Pa.C.S.A. § 5964. Section 5743.1 expressly permits service on foreign corporations through an officer or managing or general agent, and the corporations complied without the need for judicial enforcement.

KEY QUOTATIONS

“Thus, as in Kurtz, the information sought via the administrative subpoenas was not of the sort passively collected through the mere powering on or operation of Zealor’s computer; rather, he took several affirmative steps, including using his router and port number and IP address to download a P2P sharing program, after which he chose to use his router and IP address to, using the P2P software, connect with other users via their IP addresses to share child pornography which contained identifiers (i.e., the infohash) indicating it was child pornography.” (at 15-16)

“Because the statute authorized service on Comcast and Digital Media, as foreign corporations, after which Comcast and Digital Media complied with the subpoenas without judicial intervention, Zealor’s challenge is meritless.” (at 20)

FACTUAL BACKGROUND

A Pennsylvania State Police investigator monitoring BitTorrent networks received notice that a particular IP address might be sharing child sexual abuse material and downloaded multiple files, including a video depicting the sexual assault of a young child. Administrative subpoenas directed to Comcast and Digital Media identified a shared public IP address, a specific port number, and a subscriber associated with Zealor who used that

connection to communicate through a peer-to-peer program with IP addresses linked to child-pornography torrents. Based on that information, police obtained a search warrant for Zealor's residence and recovered evidence supporting fifty possession convictions.

PROCEDURAL HISTORY

The Court of Common Pleas of Montgomery County denied Zealor's motion to suppress information obtained through administrative subpoenas issued to Comcast Cable and Digital Media, LLC, and denied suppression of evidence obtained through a resulting search warrant. Zealor waived a jury trial, proceeded with a stipulated bench trial, was convicted on fifty possession counts, and received concurrent sentences on counts one through forty-nine and consecutive probation on count fifty. The Superior Court affirmed the judgment of sentence.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Ross, 330 A.3d 1262, 1267 (Pa. Super. 2025)
- Commonwealth v. Hunte, 337 A.3d 483, 497-98 (Pa. 2025)
- Commonwealth v. Wallace, 42 A.3d 1040, 1047-48 (Pa. 2012)
- Commonwealth v. Enimpah, 106 A.3d 695, 698-99 (Pa. 2014)
- Commonwealth v. Kurtz, 294 A.3d 509, 520-23 (Pa. Super. 2023), *aff'd*, 348 A.3d 133 (Pa. 2025)
- Commonwealth v. Peterson, 636 A.2d 615, 619 (Pa. 1993)
- Commonwealth v. Burton, 973 A.2d 428, 435 (Pa. Super. 2009) (*en banc*)
- Commonwealth v. Pacheco, 263 A.3d 626, 636 & n.10 (Pa. 2021)
- United States v. Miller, 425 U.S. 435 (1976)
- Commonwealth v. Duncan, 817 A.2d 455, 462-63 (Pa. 2003)
- Commonwealth v. DeJohn, 403 A.2d 1283, 1290-91 (Pa. 1979)
- Commonwealth v. Dunkins, 263 A.3d 247, 255-56 (Pa. 2021)
- Commonwealth v. Proetto, 771 A.2d 823, 831 (Pa. Super. 2001), *aff'd*, 837 A.2d 1163 (Pa. 2003)
- Commonwealth v. Sodomsky, 939 A.2d 363, 369 (Pa. Super. 2007)
- United States v. Christie, 624 F.3d 558, 573-74 (3d Cir. 2010)
- United States v. Trader, 981 F.3d 961, 967-68 (11th Cir. 2020)
- United States v. Morel, 922 F.3d 1, 9 (1st Cir. 2019)
- United States v. Contreras, 905 F.3d 853, 857 (5th Cir. 2018)
- Carpenter v. United States, Carpenter v. United States, 585 U.S. 296 (2018)
- Commonwealth v. Derby, 678 A.2d 784, 788 (Pa. Super. 1996)
- Commonwealth v. Dougalewicz, 113 A.3d 817, 826 (Pa. Super. 2015)
- Commonwealth v. Clouser, 998 A.2d 656, 661 n.3 (Pa. Super. 2010)

- Thompson v. Thompson, 223 A.3d 1272, 1277 (Pa. 2020)
- Commonwealth v. Hairston, 249 A.3d 1046, 1054 n.5 (Pa. 2021)

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