

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Williams, 630 Pa. 169

106 A.3d 583 (2014) · Decided July 21, 2014

SUMMARY

The Pennsylvania Supreme Court denied the appellee's motion to quash the Commonwealth's appeal from an order granting post-conviction relief and a new trial. The Court held that the appeal was timely because the Commonwealth electronically filed its notice of appeal within the applicable thirty-day period, even though the clerk did not immediately time-stamp it due to perceived defects. Under Pennsylvania Rules of Appellate Procedure 902 and 905(a)(3), a timely notice of appeal is self-perfecting and the lower court clerk lacks authority to reject it as defective.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Justice Baer; Chief Justice Castille; Justice Saylor; Justice Eakin; Justice Todd; Justice McCaffery; Justice Stevens
JURISDICTION	Pennsylvania
DECIDED	July 21, 2014
DISPOSITION	other
PROCEDURAL POSTURE	The Commonwealth appealed directly from a Philadelphia County Court of Common Pleas order granting Christopher Williams relief under the Post Conviction Relief Act and awarding him a new trial. Williams moved to quash the appeal as untimely, arguing that the Commonwealth's notice of appeal was not filed until the clerk time-stamped an amended notice on January 30, 2014.
STANDARD OF REVIEW	Plenary review and de novo review because the timeliness of an appeal and application of appellate procedural rules present a pure question of law.
PRECEDENTIAL VALUE	Published precedential opinion of the Supreme Court of Pennsylvania
PARTIES	Commonwealth of Pennsylvania v. Christopher Williams

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QUESTIONS PRESENTED

1. Whether a lower-court clerk must accept and immediately time-stamp a notice of appeal that is filed within the Rule 903(a) deadline but contains procedural defects.
2. Whether the Commonwealth's timely electronic filing perfected the appeal and invoked the Supreme Court's jurisdiction despite the clerk's failure to time-stamp the original notice of appeal.

HOLDINGS

1. A lower-court clerk lacks authority to reject a notice of appeal as defective when it is timely filed; under Pa.R.A.P. 905(a)(3), the clerk must immediately time-stamp the notice upon receipt.
2. The Commonwealth perfected its appeal by filing the notice of appeal on January 29, 2014, within thirty days of the PCRA court's order; the clerk's failure to time-stamp the filing did not deprive the Supreme Court of jurisdiction.

KEY QUOTATIONS

“Thus, to perfect an appeal from a lower court order, an appellant need only file a notice of appeal with the clerk of the lower court within the applicable time period allotted by Rule 903.” (587)

“A timely notice of appeal triggers the jurisdiction of the appellate court, notwithstanding whether the notice of appeal is otherwise defective.” (587-588)

“The clerk of courts and prothonotary are not permitted to interpret statutes or challenge court actions.” (588)

“Accordingly, the Commonwealth perfected its appeal pursuant to Rule 902 of the Rules of Appellate Procedure, and this Court has jurisdiction over this timely appeal.” (590)

FACTUAL BACKGROUND

The Philadelphia County PCRA court entered an order granting Williams a new trial on December 30, 2013. The Commonwealth electronically transmitted a notice of appeal to the Philadelphia County Clerk of Courts on January 29, 2014, the thirtieth day after entry of the order, and received electronic confirmation that the filing had been received. The clerk did not time-stamp the notice that day because it believed the filing was defective, and instead accepted and time-stamped an amended notice on January 30.

PROCEDURAL HISTORY

Williams was convicted of three counts of first-degree murder and sentenced to death for murders committed in September 1989. The Pennsylvania Supreme Court affirmed the judgment of sentence on direct appeal, and later reversed an earlier PCRA-court order and remanded for resolution of remaining claims. On remand, the PCRA court granted a new trial on December 30, 2013, based on ineffective assistance of trial and appellate counsel. The Commonwealth electronically filed a notice of appeal on January 29, 2014, within the thirty-day period, but the clerk declined to time-stamp it because of perceived filing defects; an amended notice was filed and time-stamped on January 30. The Supreme Court denied the motion to quash.

DISPOSITION

other

CASES CITED

- Commonwealth v. Williams, 554 Pa. 1, 720 A.2d 679 (1998)
- Commonwealth v. Williams, 594 Pa. 366, 936 A.2d 12 (2007)
- Commonwealth v. Bey, 437 Pa. 134, 262 A.2d 144, 145 (1970)
- Commonwealth v. Willis, 29 A.3d 393, 395-96 (Pa. Super. 2011)
- Commonwealth v. Alaouie, 837 A.2d 1190, 1192 (Pa. Super. 2003)
- Nagy v. Best Home Servs., Inc., 829 A.2d 1166, 1168, 1170 (Pa. Super. 2003)
- Commonwealth v. Cooper, 611 Pa. 437, 27 A.3d 994, 998 (2011)
- Day v. Civil Serv. Comm'n of Borough of Carlisle, 593 Pa. 448, 931 A.2d 646, 650-52 (2007)
- Commonwealth v. Stock, 545 Pa. 13, 679 A.2d 760, 763-64 (1996)
- Bass v. Commonwealth, 485 Pa. 256, 401 A.2d 1133, 1135 (1979)
- Sidkoff, Pincus, Greenberg & Green, P.C. v. Pennsylvania Nat'l Mut. Cas. Ins. Co., 521 Pa. 462, 555 A.2d 1284, 1287 (1989)
- In re Administrative Order No. 1-MD-2003, 594 Pa. 346, 936 A.2d 1, 9 (2007)
- Brown v. Levy, 621 Pa. 1, 73 A.3d 514, 519 (2013)
- Larocca v. W.C.A.B. (Pittsburgh Press), 140 Pa. Cmwlth. 192, 592 A.2d 757, 761-62 (1991), allocatur denied, 529 Pa. 659, 604 A.2d 251 (1991)

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