

COMMONWEALTH COURT OF PENNSYLVANIA

John Doe c/o Andreozzi & Foote v. Tyree Dumas, Dollar Boyz, Inc.,
a/k/a DollarBoyz, Y-Not (Youth Now on Top), School District of
Philadelphia, and Multicultural Academy Charter School

John Doe · No. 1183 C.D. 2023 · Decided July 15, 2025

SUMMARY

The Commonwealth Court of Pennsylvania quashed an appeal from orders dismissing claims against the Philadelphia School District and Multicultural Academy Charter School on immunity grounds. The court held that the orders were interlocutory and did not satisfy the importance and irreparability requirements for appeal under Pennsylvania Rule of Appellate Procedure 313.

CASE DETAILS

COURT	Commonwealth Court of Pennsylvania
WRITING FOR THE COURT	Christine Fizzano Cannon; Matthew S. Wolf; Bonnie Brigance Leadbetter, Senior Judge
JURISDICTION	Commonwealth Court of Pennsylvania
DECIDED	July 15, 2025
DOCKET	1183 C.D. 2023
DISPOSITION	quashed
PROCEDURAL POSTURE	Appeal from interlocutory orders of the Philadelphia County Court of Common Pleas sustaining preliminary objections based on immunity and dismissing the claims against the School District of Philadelphia and Multicultural Academy Charter School with prejudice while claims against other defendants remained pending.
STANDARD OF REVIEW	The court reviewed its subject-matter jurisdiction and the appealability of the trial court's orders under the collateral-order doctrine de novo.
PRECEDENTIAL VALUE	Published opinion
PARTIES	John Doe c/o Andreozzi & Foote v. Tyree Dumas, Dollar Boyz, Inc., a/k/a DollarBoyz, Y-Not (Youth Now on Top), School District of Philadelphia, Multicultural Academy Charter School

TOPICS

interlocutory appeal

appellate jurisdiction

final judgment rule

appellate procedure

civil procedure

PRACTICE AREAS

Appellate procedure

Civil procedure

Governmental immunity

QUESTIONS PRESENTED

1. Whether the trial court's interlocutory orders dismissing the claims against the Schools on immunity grounds were appealable as of right under Pennsylvania Rule of Appellate Procedure 313's collateral-order doctrine.
2. Whether the collateral-order doctrine's importance and irreparability prongs are satisfied when a trial court grants pretrial immunity and dismisses some defendants while claims remain pending against other defendants.

HOLDINGS

1. The orders granting the Schools' preliminary objections on immunity grounds were not immediately appealable collateral orders because, although separable from the underlying claims, they did not satisfy the importance and irreparability prongs of the collateral-order doctrine.
2. Doe's right to appellate review was not irreparably lost because he could proceed against the remaining defendant and challenge the dismissal of the Schools after entry of a final judgment.

KEY QUOTATIONS

“As a general rule, only final orders that dispose of all claims and all parties are appealable.” (at 3)

“As an exception to the final order rule, the collateral order doctrine must be narrowly construed.” (at 4)

“No right of review is lost; it is merely postponed.” (at 6)

FACTUAL BACKGROUND

Doe alleged that, while he was a minor in 2013 and 2014, he was repeatedly sexually assaulted by an adult perpetrator whom he met through youth activity programs offered by Y-Not. The perpetrator was allegedly employed as a security officer by the School District and Charter School during imprecisely pleaded periods. Doe did not allege that the assaults occurred on school property or during the perpetrator's employment by the Schools, but alleged that the Schools should have reported unspecified improper conduct toward other minors and that such reports might have prevented the assaults.

PROCEDURAL HISTORY

The trial court sustained the Schools' preliminary objections asserting immunity and dismissed Doe's claims against them with prejudice. Doe appealed, asserting that the immunity rulings were immediately appealable collateral orders under Pennsylvania Rule of Appellate Procedure 313. The Commonwealth Court did not reach the merits of immunity, concluded that the orders failed the collateral-order requirements, and quashed the appeal for lack of jurisdiction.

DISPOSITION

quashed

CASES CITED

- Shearer v. Hafer, 177 A.3d 850 (Pa. 2018)
- Brooks v. Ewing Cole, Inc., 259 A.3d 359 (Pa. 2021)
- J.C.D. v. A.L.R., 303 A.3d 425 (Pa. 2023)
- L.F.V. v. South Philadelphia High School, No. 218 C.D. 2023, Order filed Apr. 12, 2023

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