

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Renchenski

616 Pa. 608 (2012) (Pa.) · Decided September 28, 2012

SUMMARY

The Pennsylvania Supreme Court considers whether 42 Pa.C.S. § 9543(b) permits dismissal of a PCRA matter based on prejudice caused by delay in filing an amended petition. The Court holds that the provision applies to delays in filing both original and amended PCRA petitions, but does not decide the separate question of a petitioner's obligation to move the litigation forward.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
WRITING FOR THE COURT	Justice Saylor; Chief Justice Castille; Justice Eakin; Justice Baer; Justice Todd; Justice McCaffery
JURISDICTION	Pennsylvania
DECIDED	September 28, 2012
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the Superior Court's affirmance of a PCRA court order dismissing Charles S. Renchenski's post-conviction proceeding with prejudice under 42 Pa.C.S. § 9543(b). The Supreme Court granted allowance of appeal to determine whether the statute applies to delays in filing amended PCRA petitions.
STANDARD OF REVIEW	De novo review of statutory interpretation; plenary scope of review.
PRECEDENTIAL VALUE	Published, precedential decision of the Supreme Court of Pennsylvania.
PARTIES	Charles S. Renchenski v. Commonwealth of Pennsylvania

TOPICS

state post-conviction relief

post-conviction relief

statutory interpretation

legislative intent

criminal procedure

PRACTICE AREAS

Pennsylvania post-conviction relief

criminal procedure

statutory interpretation

QUESTIONS PRESENTED

1. Whether 42 Pa.C.S. § 9543(b), which permits dismissal when delay in filing prejudices the Commonwealth, applies to delay in filing an amended PCRA petition.
2. What obligation, if any, a PCRA petitioner has to seek expeditious litigation of a pending PCRA petition.

HOLDINGS

1. Section 9543(b) applies to substantial delays in filing either an original PCRA petition or an amended PCRA petition when the Commonwealth demonstrates prejudice at an evidentiary hearing, subject to the statute's reasonable-diligence exception.

KEY QUOTATIONS

“In sum, we conclude that the Legislature has balanced the policy concerns implicated by protracted litigation of PCRA claims and determined that, in certain instances of substantial delay, the prejudice suffered by the Commonwealth as a result of that delay, as demonstrated at an evidentiary hearing, justifies dismissal of an original or amended petition.” (260)

FACTUAL BACKGROUND

Following a 1984 jury conviction for first-degree murder in the strangulation death of Rosemarie Foley, Renchenski received a life sentence. Although he filed a timely PCRA petition in 1988, the matter remained largely inactive after counsel was appointed and later withdrew, and Renchenski did not seek to amend the petition until 2003. By the time an amended petition alleging ineffective assistance was filed in 2007, numerous Commonwealth witnesses were unavailable because of death, illness, relocation, or deteriorated memory, and the defense's proposed psychiatric expert had died.

PROCEDURAL HISTORY

Renchenski was convicted of first-degree murder in 1984 and sentenced to life imprisonment. He filed a timely pro se PCRA petition in 1988; after multiple remands, counsel appointments, and substantial inactivity, he filed an extension petition in 2003 and an amended PCRA petition in 2007 alleging ineffective assistance of trial counsel. The PCRA court dismissed the matter based on prejudice to the Commonwealth from the delay, and the Superior Court affirmed. The Supreme Court affirmed the Superior Court, holding that Section 9543(b) applies to prejudicial delays in filing amended as well as original PCRA petitions.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Renchenski, 581 Pa. 614, 866 A.2d 368 (2005)
- Renchenski v. Commonwealth, 909 A.2d 898 (Pa.Super.2006) (table), No. 332 WDA 2004
- Commonwealth v. Flanagan, 578 Pa. 587, 854 A.2d 489 (2004)

- Commonwealth v. Bell, 706 A.2d 855 (Pa.Super.1998)
- Commonwealth v. Williams, 607 Pa. 597, 9 A.3d 613 (2010)
- Commonwealth v. Fedorek, 596 Pa. 475, 946 A.2d 93 (2008)
- Commonwealth v. Dellisanti, 583 Pa. 106, 876 A.2d 366 (2005)
- Commonwealth v. Cox, 603 Pa. 223, 983 A.2d 666 (2009)
- Duncan v. Walker, 533 U.S. 167, 121 S.Ct. 2120, 150 L.Ed.2d 251 (2001)
- Commonwealth v. McCoy, 599 Pa. 599, 962 A.2d 1160 (2009)
- Pennsylvania v. Finley, 481 U.S. 551, 107 S.Ct. 1990, 95 L.Ed.2d 539 (1987)
- Commonwealth v. Morris, 573 Pa. 157, 822 A.2d 684 (2003)
- Commonwealth v. Williams, 566 Pa. 553, 782 A.2d 517 (2001)
- Commonwealth v. Markowitz, 32 A.3d 706 (Pa.Super.2011)
- Commonwealth v. Porter, 35 A.3d 4 (Pa. 2012)
- Commonwealth v. Sneed, 45 A.3d 1096 (Pa. 2012)