

SUPERIOR COURT OF PENNSYLVANIA

Commonwealth v. Eliezer Lazu Carrasquillo

2025 Pa. Super. 238 · No. 1844 MDA 2024 · Decided October 21, 2025

SUMMARY

The Pennsylvania Superior Court affirmed Eliezer Lazu Carrasquillo’s judgment of sentence for aggravated assault and aggravated assault with a deadly weapon. The court held that his challenge based on allegedly inconsistent verdicts was not cognizable as presented and that the trial court did not abuse its discretion in rejecting his weight-of-the-evidence claims concerning the credibility of Commonwealth witnesses.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Stevens, P.J.E.; Panella, P.J.E.; Lane, J.
JURISDICTION	Pennsylvania Superior Court
DECIDED	October 21, 2025
DOCKET	1844 MDA 2024
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from the denial of post-sentence motions challenging the weight of the evidence after the appellant's post-conviction and appellate rights were reinstated for that limited purpose.
STANDARD OF REVIEW	Review of a weight-of-the-evidence ruling is limited to whether the trial court palpably abused its discretion. The appellate court does not reassess whether the verdict was against the weight of the evidence and gives the gravest consideration to the trial judge's findings and reasons because the judge observed and heard the evidence.
PRECEDENTIAL VALUE	Published and precedential Pennsylvania Superior Court opinion.
PARTIES	Eliezer Lazu Carrasquillo v. Commonwealth of Pennsylvania

TOPICS

- criminal procedure
- appellate procedure
- standard of review
- evidence
- post-conviction relief

PRACTICE AREAS

QUESTIONS PRESENTED

1. Whether the trial court abused its discretion in denying Carrasquillo's weight-of-the-evidence challenge based on allegedly inconsistent verdicts.
2. Whether the trial court abused its discretion in denying weight-of-the-evidence challenges based on alleged inconsistencies, lies, credibility problems, and lack of corroboration in the testimony of Commonwealth witnesses Gilbert Concepcion, Jessica Hudson, and Curtis Peterson.

HOLDINGS

1. Inconsistent verdicts are permissible so long as the evidence is sufficient to support the conviction, and Carrasquillo's challenge to the inconsistency of the verdicts did not warrant relief.
2. An appellate court may reverse a trial court's ruling on a weight-of-the-evidence claim only upon a palpable abuse of discretion.
3. The trial court did not palpably abuse its discretion in rejecting weight challenges based on alleged inconsistencies and credibility problems in the Commonwealth witnesses' testimony.

KEY QUOTATIONS

“Consistency in the verdict is not necessary” (5)

“A weight of the evidence claim concedes that the evidence is sufficient to sustain the verdict.” (6)

FACTUAL BACKGROUND

The Commonwealth presented evidence that Brock Neely was fatally shot and Jordan Almodovar was wounded during a confrontation in Reading on June 11, 2014. A witness testified that Carrasquillo possessed a handgun and fired toward Neely and Almodovar, while physical evidence showed ammunition recovered from the area where Carrasquillo allegedly stood. Carrasquillo testified that he fired shots after learning that the opposing group had a gun, and the jury convicted him of aggravated assault offenses but acquitted him of charges relating to Neely's death.

PROCEDURAL HISTORY

A jury convicted Carrasquillo of two counts of aggravated assault and two counts of aggravated assault with a deadly weapon, and the Court of Common Pleas of Berks County imposed an aggregate sentence of 99 to 210 months' imprisonment. The Superior Court affirmed the judgment of sentence on direct appeal. After Carrasquillo filed a PCRA petition alleging ineffective assistance for failing to preserve a weight-of-the-evidence claim, the trial court granted limited relief and reinstated his post-sentence and appellate rights. The trial court denied his renewed post-sentence motion, and the Superior Court affirmed.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Shaffer, 40 A.3d 1250, 1253 (Pa. Super. 2012)
- Commonwealth v. Andruliewicz, 911 A.2d 162, 165 (Pa. Super. 2006), appeal denied, 926 A.2d 972 (Pa. 2007)
- Commonwealth v. Clay, 64 A.3d 1049, 1055 (Pa. 2013)
- Dunn v. United States, 284 U.S. 390, 393 (1932)
- United States v. Powell, 469 U.S. 57, 58 (1984)
- Commonwealth v. Carter, 444 Pa. 405, 282 A.2d 375, 376 (1971)
- Commonwealth v. Miller, 613 Pa. 584, 35 A.3d 1206, 1208-09 (Pa. 2012)
- Commonwealth v. Lyons, 622 Pa. 91, 79 A.3d 1053, 1067 (Pa. 2013)
- Commonwealth v. Bellon, 315 A.3d 91 (Pa. Super. 2024)
- Commonwealth v. Carrasquillo, 297 A.3d 719 (Pa. Super. 2023)
- Commonwealth v. Magliocco, 883 A.2d 479 (Pa. 2005)