

SUPERIOR COURT OF PENNSYLVANIA

Commonwealth v. Steven Eric Seiden

2026 Pa. Super. 93 · No. 34 EDA 2025 · Decided May 6, 2026

SUMMARY

The Pennsylvania Superior Court reviews Steven Eric Seiden’s appeal from a judgment of sentence following his guilty plea to endangering the welfare of children. The court holds that several probation conditions based on alleged sexual conduct lacked a sufficient nexus to the facts admitted in the plea and were improperly imposed, while upholding other conditions as sufficiently related to rehabilitation and public protection. The court also rejects vagueness and professional-certainty challenges and remands for imposition of appropriate conditions.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Dubow, J.; Kunselman, J.; Sullivan, J.
JURISDICTION	Pennsylvania Superior Court
DECIDED	May 6, 2026
DOCKET	34 EDA 2025
DISPOSITION	other
PROCEDURAL POSTURE	Appeal from a judgment of sentence following an open guilty plea to one count of Endangering the Welfare of Children—Course of Conduct.
STANDARD OF REVIEW	A challenge to the reasonableness of probation conditions is a challenge to the discretionary aspects of sentencing. Sentencing is reviewed for manifest abuse of discretion. An abuse of discretion requires more than an error in judgment; the appellant must show that the sentencing court ignored or misapplied the law, acted with partiality, prejudice, bias, or ill will, or reached a manifestly unreasonable decision. Vagueness and overbreadth challenges to probation conditions are reviewed with a strong presumption of legality.
PRECEDENTIAL VALUE	Published precedential opinion of the Superior Court of Pennsylvania
PARTIES	Steven Eric Seiden v. Commonwealth of Pennsylvania

TOPICS

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PRACTICE AREAS

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QUESTIONS PRESENTED

1. Whether probation conditions addressing rehabilitation and supervision for inappropriate sexual conduct were reasonably related to the facts admitted in the guilty plea and the offense of conviction.
2. Whether the trial court abused its discretion by relying on unproven facts and nolle prossed sexual charges in imposing probation conditions.
3. Whether the probation conditions were unconstitutionally vague or overbroad.
4. Whether the psychosexual evaluation was legally incompetent because the evaluator did not use language expressing a reasonable degree of professional certainty or did not sign and date the report.
5. Whether the Commonwealth's production of the psychosexual evaluation immediately before sentencing required its exclusion.
6. Whether the written probation conditions were illegal because they were not announced orally in open court.

HOLDINGS

1. A probation condition must be reasonable, serve rehabilitative or public-protection goals, and have a sufficient nexus to the crime of conviction and the facts admitted by the defendant. The trial court abused its discretion by imposing conditions addressing inappropriate sexual conduct when the guilty plea involved only providing drugs, alcohol, and unspecified inappropriate materials and did not include an admission of sexual conduct.
2. The conditions in paragraphs 1, 2, 8, 11, and 14 of the Commonwealth's psychosexual evaluation lacked a sufficient nexus to the facts admitted and the offense of conviction and could not stand as imposed.
3. The remaining recommendations in the Commonwealth's psychosexual evaluation had a nexus to the conduct admitted in the guilty plea and were properly imposed, subject to the trial court's authority on remand to modify the invalid recommendations to address only admitted conduct.
4. The probation conditions within the trial court's discretion, including restrictions concerning access to children, drugs, and alcohol, were not unconstitutionally vague or overbroad because a person of ordinary intelligence could understand the conduct the recommendations sought to restrict.
5. An expert need not use the precise words 'reasonable degree of professional certainty' for an opinion to be competent; the court may assess the substance of the report to determine whether the opinions rest on a reasonable degree of professional certainty.
6. The trial court did not err by considering the Commonwealth's psychosexual evaluation produced the day before sentencing where counsel declined the court's offer of a continuance and did not show that

the timing prevented adequate preparation.

7. The written sentencing order controlled over the oral sentencing pronouncement where the order clearly reflected the trial court's intent to impose the probation conditions, and the sentence was not illegal merely because the conditions were not announced in open court.

KEY QUOTATIONS

“The sentencing court is required to assess and order probation conditions “based on individualized circumstances [and f]ollowing an individualized assessment of the defendant, including [his] history and the and the underlying crime or crimes committed[.]”” (at 11-12)

“ “[T]he court shall attach only those conditions that [it] deems necessary and the least restrictive means available to promote the defendant’s rehabilitation and protection of the public[.]”” (at 12)

“In sum, we find that the trial court abused its discretion by imposing conditions of probation that have no nexus to the facts to which Appellant admitted and the charges to which he pled guilty and thus, we remand for imposition of appropriate conditions.” (at 13)

“In sum, first, we affirm the custodial portion of Appellant’s judgment of sentence. Second, we vacate the probationary portion of Appellant’s judgment of sentence and remand for the trial court to remove the conditions set forth in paragraphs 1, 2, 8, 11, and 14 of the Commonwealth’s Psychosexual Evaluation.” (at 21-22)

FACTUAL BACKGROUND

Seiden was the guardian of a minor who was under eighteen during the relevant period. He admitted in his guilty plea that he knowingly endangered the minor's welfare by violating a duty of care and protection through providing drugs, alcohol, and inappropriate materials. He did not admit to sexual conduct, and the Commonwealth nolle prossed all charges related to alleged inappropriate sexual conduct. At sentencing, the trial court relied on a Commonwealth psychosexual evaluation and imposed probation conditions addressing both the admitted conduct and inappropriate sexual conduct.

PROCEDURAL HISTORY

The Montgomery County Court of Common Pleas accepted Appellant's open guilty plea to one count of EWOC in exchange for the Commonwealth's nolle pros of the remaining charges. The trial court imposed the agreed custodial sentence and three years of probation, including conditions drawn from the Commonwealth's psychosexual evaluation. After denying Appellant's post-sentence motion, the trial court issued a Pa.R.A.P. 1925 opinion, and Appellant appealed. The Superior Court affirmed the custodial portion, vacated the probationary portion in part, and remanded with instructions.

DISPOSITION

other

REMAND INSTRUCTIONS

Affirm the custodial portion of the judgment of sentence. Vacate the probationary portion and remand for the trial court to remove the conditions in paragraphs 1, 2, 8, 11, and 14 of the Commonwealth's Psychosexual Evaluation. The trial court may modify those recommendations to address conduct admitted by Appellant, and it must reimpose the remaining recommendations that relate to the admitted conduct. Jurisdiction relinquished.

CASES CITED

- Commonwealth v. Laughman, 314 A.3d 569, 571 (Pa. Super. 2024)
- Commonwealth v. Leatherby, 116 A.3d 73, 83 (Pa. Super. 2015)
- Commonwealth v. Evans, 901 A.2d 528, 533 (Pa. Super. 2006)
- Commonwealth v. Carr, 262 A.3d 561, 567 (Pa. Super. 2021)
- Commonwealth v. Berry, 323 A.3d 641 (Pa. 2024)
- Commonwealth v. Shugars, 895 A.2d 1270, 1275 (Pa. Super. 2006)
- Commonwealth v. Walls, 926 A.2d 957, 961 (Pa. 2007)
- Commonwealth v. Hall, 80 A.3d 1204, 1215 (Pa. 2013)
- Commonwealth v. Houtz, 982 A.2d 537, 537-41 (Pa. Super. 2009)
- Commonwealth v. Stewart, 867 A.2d 589, 591-93 (Pa. Super. 2005)
- United States v. Metz, 470 F.2d 1140, 1143 (3d Cir. 1972), cert. denied sub nom. Davenport v. United States, 411 U.S. 919 (1973)
- Commonwealth v. Aumick, 297 A.3d 770, 782 (Pa. Super. 2023) (en banc)
- Commonwealth v. Perreault, 930 A.2d 553, 559 & n.1 (Pa. Super. 2007)
- Hill v. Colorado, 530 U.S. 703 (2000)
- Commonwealth v. Blango, 327 A.3d 670, 677 (Pa. Super. 2024)
- Commonwealth v. Spatz, 756 A.2d 1139, 1160 (Pa. 2000)
- Commonwealth v. Hardy, 918 A.2d 766, 771 (Pa. Super. 2007)
- Commonwealth v. Gould, 912 A.2d 869, 873 (Pa. Super. 2006)
- Commonwealth v. Willis, 68 A.3d 997, 1010 (Pa. Super. 2013)
- Commonwealth v. Borrin, 80 A.3d 1219, 1226 (Pa. 2013) (OAJC)