

SUPERIOR COURT OF PENNSYLVANIA

Commonwealth v. Griggs

2025 Pa. Super. 285 · No. 1819 MDA 2024 · Decided December 23, 2025

SUMMARY

The Pennsylvania Superior Court affirmed Elijah Griggs's judgment of sentence for third-degree-felony criminal mischief, including restitution of \$9,685.08. The court held that grading under 18 Pa.C.S. § 3304(b) requires proof that the defendant intentionally caused pecuniary loss exceeding \$5,000, not proof that he specifically intended to cause losses above that amount.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Judge Bowes; Judge Olson; Judge King
JURISDICTION	Pennsylvania Superior Court
DECIDED	December 23, 2025
DOCKET	1819 MDA 2024
DISPOSITION	affirmed
PROCEDURAL POSTURE	Appeal from a judgment of sentence following a jury conviction for criminal mischief graded as a third-degree felony.
STANDARD OF REVIEW	De novo and plenary review of legal questions concerning the legality of a sentence and the interpretation of a statute.
PRECEDENTIAL VALUE	Published precedential opinion of the Superior Court of Pennsylvania.
PARTIES	Elijah Griggs v. Commonwealth of Pennsylvania

TOPICS

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QUESTIONS PRESENTED

1. Whether grading Griggs's criminal-mischief conviction as a third-degree felony violated Apprendi and Alleyne because the jury did not separately find that he intended to cause pecuniary loss exceeding \$5,000.
2. Whether the evidence was insufficient to support third-degree-felony grading because it did not establish that Griggs specifically intended to cause more than \$5,000 in pecuniary loss.

HOLDINGS

1. No. For criminal mischief under § 3304(a)(5) to be graded as a third-degree felony, the Commonwealth must prove beyond a reasonable doubt that the defendant intentionally damaged another's property and that the intentional acts resulted in pecuniary loss exceeding \$5,000; it need not prove that the defendant specifically intended to cause losses exceeding \$5,000.
2. Yes. The jury's finding that Griggs intentionally damaged the property, together with its finding that the resulting pecuniary loss exceeded \$5,000, supplied the facts necessary to support third-degree-felony grading and did not require an additional finding concerning his subjective intent to cause that amount of loss.

KEY QUOTATIONS

“Consequently, the Commonwealth was not required to prove, and the jury was not required to find, that Appellant damaged the company trucks and Mr. Ward’s personal vehicle with the intent to cause more than \$5,000 in losses.” (at 15)

“The burden necessary to sustain Appellant’s § 3304(a)(5) conviction, graded as a third-degree felony, was proof beyond a reasonable doubt that he intentionally damaged that property and that his intentional acts resulted in losses exceeding \$5,000.” (at 15)

FACTUAL BACKGROUND

Griggs, a truck driver, became upset after his employer accepted his resignation early following his failure to appear timely for a scheduled route. Surveillance footage showed his vehicle moving among company trucks and later entering the lot where his supervisor's vehicle was parked. Several trucks and the supervisor's vehicle were subsequently found with damaged windows and body damage consistent with BBs, pellets, or marbles, causing repair losses totaling more than \$5,000. The jury found that Griggs intentionally damaged the property and caused pecuniary loss exceeding \$5,000.

PROCEDURAL HISTORY

Griggs was charged with criminal mischief under 18 Pa.C.S. § 3304(a)(5), proceeded to a jury trial, and was convicted. The jury found that the pecuniary loss exceeded \$5,000. The Court of Common Pleas of York County imposed six to twenty-three months of incarceration and \$9,685.08 in restitution. After post-sentence motions were denied, Griggs appealed, challenging the legality of the sentence and the statutory grading of the offense.

DISPOSITION

affirmed

CASES CITED

- Commonwealth v. Seladones, 305 A.3d 83, 85 (Pa. Super. 2023)
- Commonwealth v. Warunek, 279 A.3d 52, 54 (Pa. Super. 2022)
- Commonwealth v. Dixon, 255 A.3d 1258, 1266 (Pa. 2021)
- Commonwealth v. Chesapeake Energy Corp., 247 A.3d 934, 942 (Pa. 2021)
- Commonwealth v. Kingston, 143 A.3d 917, 922 (Pa. 2016)
- Commonwealth v. Glenn, 233 A.3d 842, 845 (Pa. Super. 2020)
- Commonwealth v. Strunk, 325 A.3d 530, 534 (Pa. 2024)
- Commonwealth v. Hardy, 337 A.3d 385, 409 n.113 (Pa. 2025)
- Commonwealth v. Lehman, 311 A.3d 1034, 1048 n.20 (Pa. 2024)
- Commonwealth v. Kearney, 225 A.3d 590, 596 (Pa. Super. 2019)
- Apprendi v. New Jersey, 530 U.S. 466 (2000)
- Alleyne v. United States, 570 U.S. 99 (2013)

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