

SUPREME COURT OF PENNSYLVANIA

Commonwealth v. Sansone

No. 555 MAL 2024 · No. 555 MAL 2024 · Decided March 18, 2025

SUMMARY

The Supreme Court of Pennsylvania granted Michael L. Sansone’s petition for allowance of appeal, vacated the Superior Court’s decision, and remanded for reassessment of his ineffectiveness claim. The Court cited Commonwealth v. Maconeghy regarding the inadmissibility of expert testimony that vouches directly or indirectly for a child sexual-abuse complainant’s credibility.

CASE DETAILS

COURT	Supreme Court of Pennsylvania
JURISDICTION	Supreme Court of Pennsylvania
DECIDED	March 18, 2025
DOCKET	555 MAL 2024
DISPOSITION	vacated
PROCEDURAL POSTURE	Petition for allowance of appeal from the Superior Court's unpublished memorandum and order affirming an order of the Luzerne County Court of Common Pleas in a PCRA proceeding.
PRECEDENTIAL VALUE	Published per curiam order
PARTIES	Michael L. Sansone v. Commonwealth of Pennsylvania

TOPICS

- appellate procedure
- post-conviction relief
- ineffective assistance
- expert testimony
- evidence

PRACTICE AREAS

- criminal procedure
- post-conviction relief
- evidence
- ineffective assistance

QUESTIONS PRESENTED

- Whether the Superior Court properly assessed Michael L. Sansone's claim of ineffective assistance of counsel in light of the admissibility of expert testimony concerning alleged child sexual abuse and improper direct or indirect vouching.

HOLDINGS

1. The Superior Court's decision was vacated, and the matter was remanded for the Superior Court to reassess Petitioner's ineffectiveness claim.

KEY QUOTATIONS

“that expert testimony opining that a child has been sexually abused—which is predicated on witness accounts and not physical findings—is inadmissible” (Order)

“no material distinction between direct vouching (e.g., “I believe the complainant is telling the truth”) and indirect vouching (e.g., ‘I conclude that the complainant was sexually assaulted based upon the history she related.’)” (Order)

FACTUAL BACKGROUND

The order concerns Petitioner's claim of attorney ineffectiveness in a criminal case and the treatment of expert testimony concerning alleged child sexual abuse. The source does not provide additional underlying factual details.

PROCEDURAL HISTORY

The Luzerne County Court of Common Pleas entered a PCRA order on June 28, 2023. The Superior Court affirmed that order on October 7, 2024. The Supreme Court of Pennsylvania granted allowance of appeal, vacated the Superior Court's decision, and remanded for reassessment of Petitioner's ineffectiveness claim.

DISPOSITION

vacated

REMAND INSTRUCTIONS

The Superior Court must reassess Petitioner's ineffectiveness claim in light of *Commonwealth v. Maconeghy*.

CASES CITED

- *Commonwealth v. Maconeghy*, 171 A.3d 707, 713, 715 (Pa. 2017)

OPINION

PER CURIAM.

IN THE SUPREME COURT OF PENNSYLVANIA MIDDLE DISTRICT COMMONWEALTH OF PENNSYLVANIA,: No. 555 MAL 2024 Respondent:: Petition for Allowance of Appeal: from the Unpublished v.: Memorandum and Order of the: Superior Court at No. 961 MDA: 2023 entered on October 7, 2024, MICHAEL L. SANSONE,: affirming the PCRA Order of the: Luzerne County Court of Common Pleas at No. CP-40-CR-0002413-: 2016 entered on June 28, 2023 ORDER PER CURIAM DECIDED: March 18, 2025 AND NOW, this 18th day of March, 2025, Petition for Allowance of Appeal is GRANTED.

Further, the decision of the Superior Court is VACATED and the case is REMANDED for the Superior Court to reassess Petitioner’s ineffectiveness claim. See, *Commonwealth v. Maconeghy*, 171 A.3d 707, 713, 715 (Pa. 2017) (holding “that expert testimony opining that a child has been sexually abused—which is predicated on witness accounts and not physical findings—is inadmissible” and acknowledging “no material distinction between direct vouching (e.g., “I believe the complainant is telling the truth”) and indirect vouching (e.g., ‘I conclude that the complainant was sexually assaulted based upon the history she related.’”)).

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