

SUPERIOR COURT OF PENNSYLVANIA

Commonwealth v. Antoine Alphonzo Hunter

2026 Pa. Super. 48 (Superior Court of Pennsylvania 2026) · No. 372 MDA 2025 · Decided March 17, 2026

SUMMARY

The Pennsylvania Superior Court reviewed Antoine Alphonzo Hunter’s appeal from the dismissal of his first timely petition under the Post Conviction Relief Act. The court reversed the PCRA order, vacated Hunter’s judgment of sentence, and remanded for a new trial. The opinion addresses issues arising from the investigation, including a warrant for examination of Hunter’s iPhone, witness identifications, and trial evidence.

CASE DETAILS

COURT	Superior Court of Pennsylvania
WRITING FOR THE COURT	Murray, J.; Stabile, J.; Ford Elliott, P.J.E.
JURISDICTION	Pennsylvania Superior Court
DECIDED	March 17, 2026
DOCKET	372 MDA 2025
DISPOSITION	reversed_and_remanded
PROCEDURAL POSTURE	Appeal from PCRA court's order dismissing appellant's first PCRA petition
STANDARD OF REVIEW	De novo for legal conclusions; great deference to PCRA court's factual findings supported by the record
PRECEDENTIAL VALUE	Published
PARTIES	Antoine Alphonzo Hunter v. Commonwealth of Pennsylvania

TOPICS

- fourth amendment
- search and seizure
- warrant requirement
- ineffective assistance
- post-conviction relief
- exclusionary rule
- evidence
- appellate procedure

PRACTICE AREAS

- criminal law
- post-conviction relief

QUESTIONS PRESENTED

1. Whether trial counsel was ineffective for failing to move to suppress evidence recovered from Appellant's cell phone where the phone was searched before police obtained a search warrant
2. Whether trial counsel was ineffective for failing to move to suppress rap lyrics and pre-incident text messages found on Appellant's phone as beyond the warrant's scope
3. Whether trial counsel was ineffective for failing to object and move for mistrial based on prosecutorial misconduct
4. Whether trial counsel was ineffective for failing to seek suppression of cell-site location information obtained without a warrant
5. Whether trial counsel was ineffective for failing to object to or seek suppression of a rifle recovered from Appellant's Maryland residence

HOLDINGS

1. Police actions of powering on a cell phone, calling a suspected number, and confirming the phone's connection with that number constitute a search under the Fourth Amendment, as they intrude upon constitutionally protected cell phone data.
2. Trial counsel was ineffective for failing to seek suppression of the iPhone evidence because the suppression motion would have been meritorious under Riley (decided before trial), counsel lacked a reasonable basis for not filing the motion, and Appellant suffered prejudice given the importance of the iPhone evidence to the Commonwealth's case.
3. The warrant application and affidavit relied on information unlawfully obtained from the initial warrantless search of the iPhone, and absent that information, the affidavit failed to establish probable cause to search the iPhone. Therefore, evidence obtained via the warrant was also subject to suppression.

KEY QUOTATIONS

“Fulton did not expand the parameters of what constitutes a search, but merely applied established law to the facts of the case before it.”

“Riley's explicit rejection of Flores-Lopez's approach signaled that, post-Riley, police were not entitled to turn on a cell phone to learn its number without first obtaining a warrant.”

FACTUAL BACKGROUND

Appellant was convicted in connection with a robbery and murder at a residence in Chambersburg, Pennsylvania on December 14, 2015. The Commonwealth's case relied heavily on cell phone evidence linking Appellant's iPhone to the crime, including text messages with co-conspirator Swindell's phone, cell-site location information placing the phone near the murder scene, and data extracted from the iPhone itself. Appellant was arrested on December 29, 2015, in possession of the iPhone. Police powered on the iPhone and called a suspected phone number to confirm the iPhone's association with that number before obtaining a search warrant.

PROCEDURAL HISTORY

Appellant was convicted of second-degree murder, burglary, robbery, and conspiracy after a jury trial. He appealed, and the Superior Court affirmed. The Pennsylvania Supreme Court denied allowance of appeal. Appellant then filed a timely PCRA petition, which was amended by counsel, raising five claims of trial counsel's ineffective assistance. The PCRA court dismissed the petition. Appellant appealed.

DISPOSITION

reversed_and_remanded

REMAND INSTRUCTIONS

Reverse the PCRA court's order, vacate Appellant's judgment of sentence, and remand for a new trial.

CASES CITED

- Riley v. California, 573 U.S. 373 (2014)
- Commonwealth v. Fulton, 179 A.3d 475 (Pa. 2018)
- Commonwealth v. Stem, 96 A.3d 407 (Pa. Super. 2014)
- Commonwealth v. Prater, 256 A.3d 1274 (Pa. Super. 2021)
- Commonwealth v. Pierce, 527 A.2d 973 (Pa. 1987)
- Commonwealth v. Chmiel, 30 A.3d 1111 (Pa. 2011)
- Commonwealth v. Johnson, 289 A.3d 959 (Pa. 2023)
- Commonwealth v. Maxwell, 232 A.3d 739 (Pa. Super. 2020)
- Commonwealth v. Montalvo, 205 A.3d 274 (Pa. 2019)
- Commonwealth v. Sandusky, 324 A.3d 551 (Pa. Super. 2024)
- Commonwealth v. Brown, 196 A.3d 130 (Pa. 2018)
- Commonwealth v. Charleston, 94 A.3d 1012 (Pa. Super. 2014)
- Commonwealth v. Spatz, 84 A.3d 294 (Pa. 2014)
- Commonwealth v. Evans, 303 A.3d 175 (Pa. Super. 2023)
- Commonwealth v. Treiber, 121 A.3d 435 (Pa. 2015)
- Commonwealth v. Colon, Commonwealth v. Colon, 230 A.3d 368 (Pa. Super. 2020)
- Commonwealth v. Metzger, 441 A.2d 1225 (Pa. Super. 1981)
- Commonwealth v. Watley, 153 A.3d 1034 (Pa. Super. 2016)
- Commonwealth v. Johnson, 179 A.3d 1153 (Pa. Super. 2018)
- Commonwealth v. Melson, 556 A.2d 836 (Pa. Super. 1989)
- Commonwealth v. Hernandez, 935 A.2d 1275 (Pa. 2007)
- Commonwealth v. Lyons, 79 A.3d 1053 (Pa. 2013)
- Commonwealth v. Lesko, 15 A.3d 345 (Pa. 2011)
- Commonwealth v. Collins, 957 A.2d 237 (Pa. 2008)
- Commonwealth v. Harper, 230 A.3d 1231 (Pa. Super. 2020)

- Commonwealth v. Arch, 654 A.2d 1141 (Pa. Super. 1995)
- Strickland v. Washington, 466 U.S. 668 (1984)
- Commonwealth v. Moser, 283 A.3d 850 (Pa. Super. 2022)
- Commonwealth v. Lehman, 275 A.3d 513 (Pa. Super. 2022)
- Commonwealth v. Robbins, 647 A.2d 555 (Pa. Super. 1994)
- Katz v. United States, 389 U.S. 347 (1967)
- Arizona v. Hicks, 480 U.S. 321 (1987)
- Florida v. Jardines, 569 U.S. 1 (2013)
- Commonwealth v. Shabazz, 166 A.3d 278 (Pa. 2017)
- United States v. Flores-Lopez, 670 F.3d 803 (7th Cir. 2012)
- United States v. Jenkins, 850 F.3d 912 (7th Cir. 2017)
- Carpenter v. United States, Carpenter v. United States, 585 U.S. 296 (2018)
- Commonwealth v. Hunter, 217 A.3d 377 (Pa. Super. 2019)
- Commonwealth v. Hunter, 218 A.3d 857 (Pa. 2019)

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