

IN THE COURT OF COMMON PLEAS OF CARBON COUNTY, PENNSYLVANIA
CRIMINAL DIVISION

COMMONWEALTH OF PENNSYLVANIA,	:	
	:	
Appellee	:	
	:	
v.	:	No. 86-SA-2025
	:	
GLENN FRANKLIN CLAYPOOLE	:	
	:	
Appellant	:	
Michael S. Greek, Esquire		Counsel for Appellee
District Attorney		
Glenn Franklin Claypoole		Pro Se

MEMORANDUM OPINION

Serfass, J. - May 15, 2026

Glenn Franklin Claypoole, (hereinafter "Appellant") has taken this appeal from the Judgment of Sentence entered in this case on March 3, 2026, following a de novo trial in his summary appeal. We file the following Memorandum Opinion pursuant to Pennsylvania Rule of Appellate Procedure 1925(a) and respectfully recommend that the instant appeal be dismissed because no issues have been preserved for appellate review.

FACTUAL AND PROCEDURAL BACKGROUND

On April 2, 2026, Appellant filed a "Notice to Appeal from Summary Criminal Conviction" in the office of the Clerk of Courts of Carbon County. A trial de novo was initially scheduled for December 2, 2025, but was rescheduled by this Court to March 3, 2026. Immediately upon the conclusion of the trial, we announced

the verdict and sentence in accordance with Pa.R.Crim.P. 462(G). On that same date, a written order imposing sentence was issued pursuant to Pa.R.Crim.P. 462(H)(4).¹

On April 2, 2026, Appellant filed notice of the instant appeal. On April 6, 2026, in accordance with Pa.R.A.P. 1925(b), this Court entered an Order directing Appellant to file of record and serve upon the undersigned a concise statement of errors complained of on appeal within twenty-one (21) days. As of this date, Appellant has failed to comply with our Order.

DISCUSSION

We submit that no issues have been preserved for appellate review in this matter. Appellant has not complied with our April 6, 2026 Order directing him to file a concise statement of errors complained of on appeal within twenty-one (21) days. Specifically, our Pa.R.A.P. 1925(b) Order was entered on the docket on April 6, 2026. Therefore, Appellant had until April 27, 2026 to timely file a concise statement. No such statement having been filed, all issues Defendant may have raised on appeal are waived. Commonwealth v. Burton, 973 A.2d 428, 432 (Pa. Super. 2009).

It is the well-settled law of this Commonwealth that “[i]n order to preserve their claims for appellate review, [a]ppellants

¹ We found Defendant guilty on the summary offense of duties at stop sign (75 Pa.C.S.A. §3323(b)) and sentenced him to pay the costs of prosecution and a fine of \$25.00.

must comply whenever the trial court orders them to file a Statement of Matters Complained of on Appeal pursuant to Pa.R.A.P. 1925. Any issue not raised in a Pa.R.A.P. 1925(b) statement will be deemed waived." Commonwealth v. Hill, 16 A.3d 484, 494 (Pa. 2011) (quoting Commonwealth v. Lord, 719 A.2d 306, 309 (Pa. 1998)). See also Hess v. Fox Rothschild, L.L.P., 925 A.2d 798 (Pa. Super. 2007) (failure to comply with the trial court's order to file a concise statement of matters complained of on appeal will result in waiver of all issues). In interpreting Pa.R.A.P. 1925, courts have adopted a bright line rule that any issues not raised in a 1925(b) statement will be deemed waived. Commonwealth v. Kearney, 92 A.3d 51, 59 (Pa. Super. 2014). In the instant matter, Appellant has failed to file any statement of errors complained of on appeal. Therefore, he has failed to preserve any issue for appellate review.

CONCLUSION

Based upon the foregoing, we respectfully recommend that the instant appeal be dismissed as no issues have been preserved for review by the Honorable Superior Court.

BY THE COURT:

/s/ Judge Steven R. Serfass
Steven R. Serfass, J.