

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

COMMONWEALTH OF PENNSYLVANIA, :  
: Appellee :  
v. : No. 28-SA-2024 :  
ANIL MEHTA, :  
: Appellant :

Michael S. Greek, Esquire  
District Attorney

Counsel for the Commonwealth

Anil Mehta

Pro Se

MEMORANDUM OPINION

Serfass, J. - November 10, 2025

Anil Mehta, (hereinafter "Appellant") has taken this appeal from the Judgment of Sentence entered in this case on September 16, 2025 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.

FS-26-25

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FACTUAL AND PROCEDURAL BACKGROUND

On May 31, 2024, Appellant filed a "Notice of Appeal from Summary Criminal Conviction" in the office of the Clerk of Courts of Carbon County. Following numerous continuances requested by Appellant and granted by this Court, a trial de novo was held on September 16, 2025. 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).<sup>1</sup>

On October 14, 2025, Appellant filed notice of the instant appeal. On October 15, 2025, 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 October 15, 2025 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 October

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<sup>1</sup> We found Defendant guilty on the summary offense of scattering rubbish upon land/stream (18 Pa.C.S.A. §6501(a)(1)) and sentenced him to pay the costs of prosecution and a fine of \$200,000.

15, 2025. Therefore, Appellant had until November 4, 2025 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 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:

A handwritten signature in black ink, appearing to read 'S.R. Serfass', written over a horizontal line.

Steven R. Serfass, J.