NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

CONSOLIDATED RAIL CORP. and NORFOLK SOUTHERN RAILWAY

٧.

CORP.

IN THE SUPERIOR COURT OF

PENNSYLVANIA

:

:

ROGER GRUBB,

No. 568 EDA 2018

Appellant

Appeal from the Order Entered January 12, 2018
In the Court of Common Pleas of Philadelphia County Civil Division at No(s): May Term., 2016 No. 001747

BEFORE: LAZARUS, J., KUNSELMAN, J., and COLINS, J.*

JUDGMENT ORDER BY LAZARUS, J.:

FILED JUNE 17, 2019

Appellant Roger Grubb appealed from the order, entered in the Court of Common Pleas of Philadelphia County, granting summary judgment in favor of Consolidated Rail Corporation and Norfolk Southern. It has come to this Court's attention that Appellant is deceased, and that his death occurred after the notice of appeal in this case was filed. Counsel for Appellant advised this Court's prothonotary that a Suggestion of Death would be filed. *See* Pa.R.A.P. 502(a). To date, no Suggestion of Death has been filed. We hereby dismiss this appeal.

Appeal dismissed.

^{*}Retired Senior Judge assigned to the Superior Court.

J-A04011-19

Judgment Entered.

Joseph D. Seletyn, Eso.

Prothonotary

Date: <u>6/17/19</u>