

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
PAUL J. BUKOVINSKY, II	:	
	:	
Appellant	:	No. 1661 WDA 2019

Appeal from the Judgment of Sentence Entered October 9, 2019
In the Court of Common Pleas of Washington County Criminal Division at
No(s): CP-63-SA-0000269-2019

BEFORE: BENDER, P.J.E., DUBOW, J., and NICHOLS, J.

JUDGMENT ORDER BY DUBOW, J.:

FILED JULY 1, 2020

Appellant, Paul J. Bukovinsky, II, appeals pro se from the October 9, 2019 Judgment of Sentence entered in the Washington County Court of Common Pleas following his conviction of Operating a Vehicle Without Official Certificate of Inspection, 75 Pa.C.S. § 4703(a). After careful review, we affirm Appellant's Judgment of Sentence.

Briefly, on August 28, 2019, the magistrate convicted Appellant of the above crime. Appellant appealed from his summary conviction and, on October 9, 2019, the trial court again found Appellant guilty. The court sentenced Appellant to pay the costs of prosecution and a \$25 fine.

This timely appeal followed. On November 18, 2019, the trial court entered an Order directing Appellant to file of record and concurrently serve the trial judge with a Concise Statement of the Matters Complained of on Appeal pursuant to Pa.R.A.P. 1925 within 21 days of entry of the Order.

Order, 11/18/19. Appellant did not file a Rule 1925(b) Statement as ordered by the trial court.

Rather, on December 9, 2019, Appellant served the trial judge with his "Brief of Appellant," which the trial court treated as a Rule 1925(b) Statement. Trial Ct. Op., 12/11/19, at 3. However, Appellant did not file this "Brief" with the trial court clerk and it is not in the certified record. *Id.*

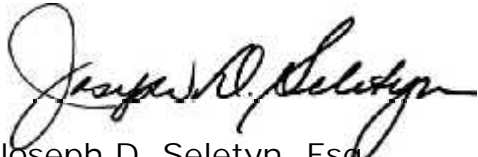
Pa.R.A.P. 1925(b)(1) requires that, when the trial court orders an appellant to file a Pa.R.A.P. 1925(b) Statement, "the appellant shall file of record the Statement and concurrently shall serve the judge." Pa.R.A.P. 1925(b)(1) (emphasis added).

It is well-settled that "[n]on-compliance with Rule 1925(b)(1) . . . shall result in [the] automatic waiver of all appellate issues." *Commonwealth v. Eldred*, 207 A.3d 404, 407 (Pa. Super. 2019). See *Commonwealth v. Lord*, 719 A.2d 306, 309 (Pa. 1998) ("[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 Rule 1925.").

Because Appellant did not file his Rule 1925(b) Statement with the lower court clerk, Appellant has not complied with Rule 1925(b)(1). Thus, Appellant has waived his issues on appeal.

Judgment of Sentence affirmed.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn". The signature is written in a cursive, flowing style with a large initial "J".

Joseph D. Seletyn, Esq.
Prothonotary

Date: 7/1/2020