

**IN THE SUPREME COURT OF PENNSYLVANIA
WESTERN DISTRICT**

JACK DUNCAN AND JEFFREY DUNCAN,	:	No. 245 WAL 2023
	:	
Respondents	:	
	:	
v.	:	Petition for Allowance of Appeal
	:	from the Order of the Superior Court
	:	
	:	
CHARTIERS NATURE CONSERVANCY,	:	
INC.,	:	
	:	
Petitioner	:	

ORDER

PER CURIAM

AND NOW, this 12th day of March, 2024, the Petition for Allowance of Appeal is
GRANTED. The issues, as stated by petitioner, are:

May a trial court decline to apply the presumption of law that one who holds title to real estate “possesses” such real estate where the court expressly finds that possession of the real estate at issue “was less than clear or shared by both parties” and that both competing parties were in possession of “at least a portion” of such real property?

Where the law prescribes how a party “possesses” unenclosed woodland property in the context of an action to quiet title, may a trial court expressly ignore such legal definition and apply instead only “the common understanding” of that word to determine whether the court has the obligatory subject matter jurisdiction in the first instance?