NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

KENIA F. ZEPEDA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellant	:	
	:	
	:	
v.	:	
	:	
	:	
MISAEL SANCHEZ	:	No. 2660 EDA 2025

Appeal from the Order Entered September 29, 2025
In the Court of Common Pleas of Delaware County Civil Division at
No(s): CV-2025-000282

BEFORE: LAZARUS, P.J., BECK, J., and NEUMAN, J.

JUDGMENT ORDER BY LAZARUS, P.J.: **FILED NOVEMBER 3, 2026**

Kenia F. Zepeda appeals pro se from the order, entered in the Court of Common Pleas of Delaware County, finding her in contempt of court. After review, we dismiss Zepeda's appeal for failing to comply with our appellate rules.

In light of our disposition, we briefly summarize the factual and procedural posture of this case. On January 10, 2025, Zepeda filed a custody action seeking primary physical custody of the parties' minor child. After hearings and proceedings unrelated to the contempt order, on August 22, 2025, Misael Sanchez filed a petition for contempt of custody against Zepeda. On September 24, 2025, after a contempt hearing, the trial court granted Sanchez's contempt petition and found Zepeda in contempt.

Zepeda filed a timely notice of appeal and a contemporaneous Pa.R.A.P. 1925(b) concise statement of errors complained of on appeal. We observe

that the trial court, in its opinion, concluded that Zepeda's Rule 1925(b) statement was wholly deficient and failed to preserve any claims for appeal. ***See*** Trial Court Opinion, 12/4/25, at 1-2.

Preliminarily, we note that "pro se litigant[s] must comply with the procedural rules set forth in the Pennsylvania Rules of the Court." ***Commonwealth v. Freeland***, 106 A.3d 768, 776 (Pa. Super. 2014). Instantly, we are constrained to dismiss Zepeda's appeal due to her failure to comply with Rule 1925(b). Zepeda's Rule 1925(b) statement completely fails to identify any appealable issue other than her "dissatisf[action]" with being found in contempt. ***See*** Zepeda's Statement of Errors, 10/14/25, at 1. Thus, we agree with the trial court and conclude that Zepeda's Rule 1925(b) statement has waived any claims on appeal. ***See*** Pa.R.A.P. 1925(b)(4)(vii) ("Issues not included in the Statement and/or not raised in accordance with the provisions of this paragraph are waived.").[1]

Even if we had not deemed Zepeda's issues waived on appeal, we would dismiss her appeal for filing a woefully deficient pro se brief that materially fails to conform to the requirements set forth in the Pennsylvania Rules of

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[1] While Rule 1925(c)(3) allows an appellate court to remand the matter for the appointment of new counsel and preparation of a concise statement in criminal cases where counsel has provided *per se* ineffective assistance by failing to comply with Rule 1925, "pro se appellants are excluded from this exception to the waiver doctrine." ***See*** Pa.R.A.P. 1925 Note: Subparagraph (c)(3) ("This subparagraph allows an appellate court to remand in criminal cases only when an appellant, who is represented by counsel, has completely failed to respond to an order to file and serve a Statement or has failed to do so timely.").

Appellate Procedure.[2] ***See*** Pa.R.A.P. 2111(a). Notably, Zepeda's brief either entirely omits or does not adequately include the following: a statement of jurisdiction, reference to the order or determination in question, statements of the scope and standard of review, statement of questions involved, summary of the case, summary of the argument, or an argument section. ***See*** Pa.R.A.P. 2111(a)(3), 2114, 2115(a), 2116(a), 2117(a), 2118, 2119(a)-(f). Moreover, Zepeda does not cite to where in the record her claims are preserved and fails to cite any case law or controlling authority whatsoever. ***See*** Pa.R.A.P. 2119(a) (providing appellant's arguments shall include "such discussion and citation of authorities as are deemed pertinent"); ***id.*** at (e) ("where under applicable law an issue is not reviewable on appeal unless raised or preserved below, the argument must set forth . . . either a specific cross-reference to the page or pages of the statement of the case which set forth the information relating thereto as required by Pa.R.A.P. 2117(c)"); ***see also Commonwealth v. Johnson***, 985 A.2d 915, 924 (Pa. 2009) ("where an appellate brief fails to . . . develop the issue in any [] meaningful fashion capable of review, that claim is waived"); ***Commonwealth v. Hardy***, 918 A.2d 766, 771 (Pa. Super. 2007) (explaining appellant must "present

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[2] Zepeda's entire appellate brief is a collection of prior documents, photographs, and incident reports. ***See*** Brief for Appellant, at 1-60. Upon review, some of the documents and images included in Zepeda's brief do not appear in the certified record before us and, consequently, we cannot consider them. ***See Riverview Carpet & Flooring, Inc. v. Presbyterian SeniorCare***, 299 A.3d 937, 976 n.27 (Pa. Super. 2023) (appellate courts may only consider facts which have been duly certified in record on appeal).

arguments that are sufficiently developed for our review. . . . This Court will not act as counsel and will not develop arguments on behalf of an appellant."). Accordingly, we dismiss this appeal. ***See*** Pa.R.A.P. 2101 ("[I]f the defects in the brief [] are substantial, the appeal [] may be . . . dismissed."); ***see also Commonwealth v. Tchirkow***, 160 A.3d 798, 804 (Pa. Super. 2017) ("Although this Court is willing to construe liberally material filed by a pro se litigant, pro se appellants enjoy no special benefit.").

Appeal dismissed.

Judgment Entered.

Benjamin D. Kohler

Benjamin D. Kohler, Esq.
Prothonotary

Date: 11/3/2026