NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

BONNIE KLINGENSMITH	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
Appellant	:	
	:	
	:	
v.	:	
	:	
	:	
JOHN KLINGENSMITH III	:	No. 1423 WDA 2025

Appeal from the Order Entered October 10, 2025
In the Court of Common Pleas of Allegheny County Family Court at
No(s): FD-16-000947-017

BEFORE: BOWES, J., OLSON, J., and MURRAY, J.

MEMORANDUM BY BOWES, J.: **FILED: November 16, 2026**

Bonnie Klingensmith ("Wife") appeals *pro se* from the order denying her petition to reopen the divorce decree. We affirm.

In light of our disposition, we need not recount the full history of the underlying divorce or the subsequent alleged revelations about the finances of John Klingensmith III ("Husband"). Suffice it to say, after Wife filed a divorce action in 2016, the parties settled their economic disputes by consent order of January 10, 2018, with the final decree issued in March 2018. Over six years later, on August 19, 2024, Wife filed the underlying petition to reopen the divorce decree. The petition was primarily based upon alleged financial misrepresentations and fraud that she uncovered during discovery in her legal malpractice suit against her divorce attorneys, which she litigated between 2023 and 2025. ***See*** Wife's brief at 33. Wife scheduled the petition for presentation to the court approximately one year later and, after a hearing

at which the court heard from Wife and Husband's attorney, the court denied the petition.

This appeal followed. The trial court directed Wife to file a concise statement pursuant to Pa.R.A.P. 1925(b).[1] Wife timely responded and the court authored a Rule 1925(a) opinion in support of its decision. In this Court, Wife lists four questions:

> 1. Whether the trial court abused its discretion in denying the motion to reopen the divorce decree when [Wife] provided new evidence showing [Wife]'s former attorneys and [Husband] concealed bank accounts with $531,689.02 and $45,251.72, which would have materially altered the property division?
>
> 2. Whether the trial court abused its discretion by refusing to consider evidence of [Husband]'s concealed inheritance of $1,559,278.34?
>
> 3. Whether the trial court abused its discretion by ignoring evidence of fraudulent income, which would have materially altered the equitable distribution of marital assets?
>
> 4. Whether the trial court committed a procedural error by denying the motion to reopen the divorce/vacate the divorce decree signed by an unauthorized administrative law judge instead of the presiding judge?

Wife's brief at 4 (numbering supplied).

In sum, Wife challenges the court's decision to deny her request to reopen the divorce decree. "A trial court's exercise or refusal to exercise its authority to open, vacate, or strike a divorce decree is reviewable on appeal

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[1] We remind the trial court that all Rule 1925(b) orders must include the address where the statement may be mailed. ***See*** Pa.R.A.P. 1925(b)(3)(iii).

for an abuse of discretion." ***Bardine v. Bardine***, 194 A.3d 150, 152 (Pa.Super. 2018) (cleaned up). We have explained:

> For a petition to open, the motion must be made within thirty days of the divorce decree and allege intrinsic fraud or new evidence. For a motion to vacate, the petition must be filed within five years of the divorce decree where the attack is based on extrinsic fraud, lack of jurisdiction over the subject matter or a fatal defect apparent upon the face of the record. The intent of [23 Pa.C.S. §] 3332 is to codify the extraordinary circumstances which will outweigh the interests of the parties and the court in finality, and to delimit the time periods which within such circumstances must be established.

Id. at 153 (cleaned up).

Our review confirms that Wife's 2024 petition was filed beyond both the thirty-day and five-year applicable timeframes. Instead of explaining why her late petition should nevertheless entitle her to disturb the finality of the divorce decree, she expends the bulk of her brief detailing the history of this divorce matter. ***See*** Wife's brief at 5-33. At the conclusion of that summary, she avers, without citation or further argument, that the five-year "clock didn't start until [she] discovered the fraud." ***Id***. at 33. Meanwhile, Wife's argument contains bald allegations of error and not a single reference to legal authority in support of her request for relief or her pronouncement that she had not run afoul of the aforementioned time-bars.[2] ***Id***. at 35-36.

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[2] In her entire brief, the only authority she cites is Pa.R.A.P. 2135 in certifying her compliance with this Court's requirements as to the length of her brief. ***See*** Wife's brief at 37.

While we recognize Wife is proceeding *pro se* and we will liberally construe her filings, we cannot make arguments for her. ***See Smithson v. Columbia Gas of PA/NiSource***, 264 A.3d 755, 761 (Pa.Super. 2021) ("Although this Court construes materials filed by a *pro se* litigant liberally, we cannot act as Appellant's counsel." (cleaned up)). Instead, this Court has routinely held "that the failure to develop an argument with citation to, and analysis of, pertinent authority results in waiver of that issue on appeal." ***Zabrosky v. Smithbower-Zabrosky***, 273 A.3d 1108, 1121 n.4 (Pa.Super. 2022) (cleaned up). Having presented no developed legal advocacy in support of Wife's claims of error, we are compelled to find them waived.[3] Accordingly, we affirm the order denying Wife's petition to reopen the divorce decree.

Order affirmed.

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[3] Even if not waived, we would affirm. It is well-settled that "while a court possesses equitable powers in divorce proceedings, those powers do not allow the court to ignore the limited circumstances set forth in [§] 3332 for vacating a final decree[.]" ***Hassick v. Hassick***, 695 A.2d 851, 853 (Pa.Super. 1997) (cleaned up). Since Wife's petition to reopen was filed beyond the statutes of limitation set forth in § 3332, the court did not err in denying her request. ***Id***. at 852-54 (holding that regardless of whether the petitioner averred intrinsic or extrinsic fraud, she failed to prove it within the time limits of § 3332 because the petition was filed fourteen years after the entry of the divorce decree).

Judgment Entered.

Benjamin D. Kohler

Benjamin D. Kohler, Esq.
Prothonotary

DATE: 11/16/2026