

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
IKEE JOHNSON	:	
	:	
	:	
Appellant	:	No. 2801 EDA 2024

Appeal from the Judgment of Sentence Entered August 20, 2024
In the Court of Common Pleas of Philadelphia County Criminal Division at
No(s): CP-51-CR-0007766-2022

BEFORE: LAZARUS, P.J., PANELLA, P.J.E., and SULLIVAN, J.

JUDGMENT ORDER BY LAZARUS, P.J.: **FILED MARCH 5, 2026**

Ikee Johnson appeals from the judgment of sentence, entered in the Court of Common Pleas of Philadelphia County, following his convictions for persons not to possess a firearm,¹ carrying a firearm without a license,² and carrying a firearm on public streets in Philadelphia without a license.³ After review, we affirm.

Johnson was arrested and charged with the above offenses after he gave consent to a police officer to search his bag, wherein the officer found, *inter alia*, a “loaded, nine-millimeter handgun[.]” Trial Court Opinion, 1/13/25, at 3. As Johnson had previously been convicted of possession with intent to

¹ 18 Pa.C.S.A. § 6105(a)(1).

² *Id.* at § 6106(a)(1).

³ *Id.* at § 6108.

distribute,⁴ he was subject to subsection 6105(a)'s prohibition of possession of a firearm by individuals with certain prior convictions. On February 20, 2024, the trial court found Johnson guilty of the above-mentioned firearm offenses after a stipulated bench trial.

On May 1, 2024, prior to sentencing, Johnson filed a motion for judgment of acquittal on the persons not to possess charge. In the motion, Johnson averred that the trial court should enter a judgment of acquittal or otherwise dismiss the persons not to possess charge because section 6105 was unconstitutional, both facially and as applied, under the Second and Fourteenth Amendments. **See** Motion for Judgment of Acquittal, 5/1/24, at 1-5.

On August 20, 2024, without having ruled on Johnson's motion for judgment of acquittal, the trial court sentenced Johnson to concurrent sentences of 11½ to 23 months of house arrest for carrying a firearm without a license, six years of probation for prohibited possession of a firearm, and five years of probation for carrying a firearm in Philadelphia without a license. On August 29, 2024, Johnson filed a post-sentence motion requesting a ruling on his May 1, 2024 motion for judgment of acquittal. The trial court denied the May 1, 2024 motion for judgment of acquittal on September 25, 2024.

⁴ 35 P.S. § 780-113(a)(30).

Johnson timely⁵ appealed from his judgment of sentence on October 10, 2024. Both Johnson and the trial court have complied with Pa.R.A.P. 1925. Johnson raises one issue for our review: “Should the conviction [under section] 6105 be vacated because the statute as applied to [Johnson]’s prior conviction for possession with intent to deliver, a non-violent offense, violates the Second and Fourteenth Amendments?” Appellant’s Brief, at 2.

We need not address Johnson’s claim in depth, as this Court’s recent decision in ***Commonwealth v. Randolph***, 343 A.3d 1248 (Pa. Super. 2025), is dispositive. In ***Randolph***, we addressed a constitutional challenge to subsection 6105(a), wherein the petitioner argued that there was no historical tradition supporting a regulation that prohibited individuals with prior non-violent convictions from possessing a firearm. ***Id.*** at 1256–57. Applying the test set forth in ***New York State Rifle & Pistol Assoc. v. Bruen***, 597 U.S. 1 (2022),⁶ we concluded that the challenged regulation was “consistent with the Nation’s historical tradition of firearm regulation[,]” and, thus, constitutional under the Second Amendment. ***Randolph***, 343 A.3d at 1258.

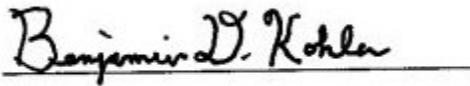
⁵ **See** Pa.R.Crim.P. 720(A)(2)(b) (notice of appeal must be filed within thirty days of entry of order denying post-sentence motion).

⁶ In ***Bruen***, the United States Supreme Court set forth the analysis for determining whether a challenged regulation runs afoul of the Second Amendment, which requires determining whether the regulation “is consistent with the Nation’s historical tradition of firearm regulation.” ***Id.*** at 24.

Because we previously considered and rejected in **Randolph** the arguments Johnson now raises, he is entitled to no relief.⁷ Accordingly, we affirm.

Judgment of sentence affirmed.

Judgment Entered.

A handwritten signature in black ink that reads "Benjamin D. Kohler". The signature is written in a cursive style and is positioned above a solid horizontal line.

Benjamin D. Kohler, Esq.
Prothonotary

Date: 3/5/2026

⁷ **See Commonwealth v. Sumpter**, 340 A.3d 977, 983 (Pa. Super. 2025) (three-judge panel of Superior Court is bound by its previous precedential decisions).