

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
SHAJUAN TERRELL	:	
	:	
Appellant	:	No. 1633 EDA 2025

Appeal from the Judgment of Sentence Entered May 23, 2025
In the Court of Common Pleas of Philadelphia County Criminal Division at
No(s): CP-51-CR-0004930-2024

BEFORE: PANELLA, P.J.E., LANE, J., and BENDER, P.J.E.

MEMORANDUM BY BENDER, P.J.E.:

FILED OCTOBER 27, 2026

Appellant, Shajuan Terrell, appeals from the judgment of sentence imposed following his conviction for a violation of the Uniform Firearms Act (VUFA). On appeal, Appellant argues that the trial court erred in allowing the Commonwealth to present evidence that he provided false information concerning his identity prior to his arrest. We affirm.

By way of background, the trial court explained:

On June 5, 2024, Southeastern Pennsylvania Transit Authority (SEPTA) Police Officer Dennis Gonzalez (hereinafter "Officer Gonzalez") was working at the 3200 block of Kensington Avenue at the Allegheny Station with his partner Officer Amos. Notes of Testimony (hereinafter "N.T.") 03/11/2025, at 43-44. At approximately 7:00 pm, Officers Gonzalez and Amos received a "Be on the Lookout" (BOLO) alert for Appellant. *Id.* at 44-45. The officers encountered Appellant on the westbound platform of Allegheny Avenue. *Id.* at 45. Officer Gonzalez asked Appellant to provide identification, at which point Appellant claimed to not have an ID on hand. *Id.* at 48. Appellant provided a false name of Aaron Johnson and a false birth date of March 7, 1993. *Id.* at

49-50. The officers detained Appellant for fingerprinting after failing to confirm his identity upon checking the name and birthdate in NCIC [(National Crime Information Center)] and PCIC [(Philadelphia Crime Information Center)]databases. ***Id.*** at 50. The officers conducted a safety frisk [of] Appellant for weapons and found a social security card reflecting his actual name before he was placed into the police vehicle. ***Id.*** at 51. A search warrant was obtained for Appellant's bookbag, and Officer Amos recovered a Smith & Wesson 9-millimeter handgun. ***Id.*** at 53-72.

On June 6, 2024, Appellant refused a DNA swab for comparison to the DNA on the recovered firearm. N.T. 03/12/2025, at 8-9. The parties stipulated to Appellant's prior conviction for robbery that prohibited him from possessing a firearm. ***Id.*** at 20. The parties further stipulated that the recovered firearm was operable at the time of Appellant's arrest. ***Id.*** at 20.

Trial Court Opinion (TCO), 8/25/26, at 2-3.

Thereafter, the trial court explained:

On June 5, 2024, [Appellant], was arrested and charged with possession of firearm prohibited (F1); firearms not to be carried [without a] license (F3); carry firearms public in [Philadelphia] (M1); and false identification to law enforcement officer (M3). With the exception of possession of firearm prohibited (F1), all charges were *nolle prossed* prior to trial. On December 13, 2024, Appellant filed a motion in *limine* to preclude evidence of the false name he gave to the police. On March 11, 2023, the matter proceeded to [a] jury trial. The court denied Appellant's motion in *limine* and on March 12, 2025, Appellant was found guilty of possession of firearm prohibited (F1). On May 23, 2025, Appellant was sentenced to a term of 6 1/2 to 13 years of state incarceration.

Id. at 1.

Appellant subsequently filed a timely notice of appeal and a Pa.R.A.P. 1925(b) statement. The trial court issued a Rule 1925(a) opinion addressing Appellant's claims.¹

On appeal, Appellant raises the following claim for review:

Did the trial court err in denying Appellant's motion in *limine* and permitting the introduction of evidence that Appellant gave a false name and date of birth to the police, and then also err and exacerbate its original error by instructing the jury that such evidence could be deemed to be consciousness of guilt for the charged crime?

Appellant's Brief at 2 (some formatting altered).

We review a trial court's denial of a motion in *limine* for an abuse of discretion. ***See Commonwealth v. Brown***, 200 A.3d 986, 991 (Pa. Super. 2018). An abuse of discretion "is not merely an error of judgment, but if in reaching a conclusion the law is overridden or misapplied, or the judgment exercised is manifestly unreasonable, or the result of partiality, prejudice, bias or ill-will, as shown by the evidence or the record, discretion is abused." ***Commonwealth v. Walker***, 92 A.3d 766, 772-73 (citation omitted).

Here, the trial court explained:

Under Pennsylvania Rule of Evidence 401, the threshold inquiry with admission of evidence is whether the evidence is relevant. Pa.R.E. 401. Evidence is considered relevant if it has any tendency to make a fact more or less probable than it would be

¹ We note that although Appellant raised an additional issue in his Rule 1925(b) statement, he did not include that claim in his brief. Therefore, that claim is abandoned for purposes of appeal. ***See*** Pa.R.A.P. 2116(a); ***see also Commonwealth v. Felder***, 247 A.3d 14, 20 (Pa. Super. 2021) (stating that "an issue identified on appeal but not developed in the appellant's brief is abandoned and, therefore, waived" (citation and emphasis omitted)).

without the evidence and is of consequence in determining the action. **Id.** The court may exclude relevant evidence if its probative value is outweighed by a danger of unfair prejudice, confusing the issues, misleading the jury, undue delay, wasting time, or needlessly presenting cumulative evidence. Pa. R.E. 403. “Unfair prejudice means a tendency to suggest decision on an improper basis or to divert the jury’s attention away from its duty of weighing the evidence impartially.” **Commonwealth v. Green**, 271 A.3d 393, 402 (Pa. Super. 2021).

Generally, evidence of other crimes, wrongs, or other acts is inadmissible merely to prove a defendant’s bad character or criminal propensity. Pa. R.E. 404(b). Pennsylvania courts have recognized proof of consciousness of guilt as an exception to Rule 404(b). **Commonwealth v. Carter**, 320 A.3d 140, 148 (Pa. Super. 2024). “When a person commits a crime, knows that he is wanted[,] and flees or conceals himself, such conduct is evidence of consciousness of guilt and may form the basis of a conviction in connection of other proof from which guilt may be inferred. **Id.** at 149 [(citation omitted)].

Here, Appellant was the subject of BOLO alert, and when asked to provide identification to police, he gave a false name and birthdate. N.T. 3/11/25, at 53-72. Appellant’s concealment of his identity was relevant evidence because it supported a reasonable inference regarding the existence of a material fact, namely that he was aware of his existing warrant. **Carter**, 320 A.3d at 149. Further, Appellant was prohibited from possessing a firearm due to his prior armed robbery conviction. N.T. 03/12/2025 at 20. Despite this, Appellant was carrying an operable handgun in his bag when he was stopped by police. **Id.** This was sufficient evidence to infer that Appellant was aware he was breaking the law. Thus, the court properly denied the motion under Pennsylvania law.

In lieu of the above considerations, Appellant’s assertions that the court erred in denying Appellant’s motion in limine are meritless.

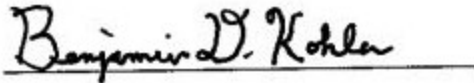
TCO at 3-4 (some formatting altered).

Following our review of the record, the parties’ briefs, and the trial court’s opinion, we discern no abuse of discretion by the trial court. **See Brown**, 200 A.3d at 991. As noted by the trial court, Appellant’s attempt to

conceal his identity was relevant to demonstrate consciousness of guilt and that the relevance of that evidence outweighed the danger of unfair prejudice. **See** TCO at 3-5; **see also Green**, 271 A.3d at 402; **Carter**, 320 A.3d at 148. Therefore, we affirm based on the trial court's analysis of this issue. **See** TCO at 3-4.

Judgment of sentence affirmed.

Judgment Entered.

A handwritten signature in black ink, reading "Benjamin D. Kohler", is written over a horizontal line.

Benjamin D. Kohler, Esq.
Prothonotary

Date: 10/27/2026