

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
JAMAL ABDULHADI	:	
	:	
Appellant	:	No. 668 EDA 2026

Appeal from the Judgment of Sentence Entered October 14, 2025
In the Court of Common Pleas of Montgomery County Criminal Division
at No(s): CP-46-CR-0007185-2023

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

MEMORANDUM BY McLAUGHLIN, J.:

FILED OCTOBER 27, 2026

Jamal Abdulhadi appeals from the judgment of sentence entered following his guilty plea to aggravated assault.¹ Abdulhadi claims the trial court imposed an excessive sentence. We affirm.

At Abdulhadi's plea hearing, the prosecutor summarized the facts giving rise to Abdulhadi's plea as follows:

[O]n November 12th, 2023, local law enforcement were called to the address that [Abdulhadi] [was] living at which is 30 Bethlehem Pike, Apartment B, and the allegations were that there was a domestic [sic] because that is what an unidentified neighbor had indicated which prompted the police response.

It was later determined that there was blood on the floor or around the premises and later subsequent medical

¹ 18 Pa.C.S.A. § 2702(a)(1).

reports indicated that [Abdulhadi's] ex had suffered a fractured mandible which is a fancy term for fractured jaw[.]

N.T., Guilty Plea Hearing, 12/3/24, at 5. Abdulhadi agreed that he punched the victim so hard that he broke her jaw and that the victim's jaw had to be wired shut for almost one month. **Id.** at 9.

The court held a sentencing hearing where Abdulhadi exercised his right to allocution. **See** N.T., Sentencing, 10/14/25, at 14-16. The court also heard from Abdulhadi's counsel, who told the court that Abdulhadi was his father's caretaker. **Id.** at 8. The court reviewed the presentence investigation report ("PSI") and noted that Abdulhadi had a prior record score of zero. **Id.** at 3. The court sentenced Abdulhadi to three to six years' incarceration. The sentence was at the bottom of the standard range. **See** Trial Court Opinion, filed 3/30/26, at 8.

Abdulhadi filed a post-sentence motion, claiming that his sentence was "excessively harsh for a person with very limited criminal history and no criminal history of domestic violence." Post-Sentence Motion to Pursuant to Pa.R.Crim.P. 720, filed 10/20/25, at 4. The court denied the motion, and this appeal followed.

Abdulhadi raises one issue for our review:

Was the aggregate sentence of 3 to 6 years imprisonment imposed by the trial court contrary to the fundamental norms of the sentencing process in that it was unduly harsh since the length of the sentence was excessive and was based exclusively on the facts of the underlying case while failing to give adequate consideration [to] [Abdulhadi's] limited criminal history and no criminal history of domestic violence?

Abdulhadi's Br. at 3.

Abdulhadi challenges the discretionary aspects of his sentence. "The right to appellate review of the discretionary aspects of a sentence is not absolute, and must be considered a petition for permission to appeal." ***Commonwealth v. Harris***, 352 A.3d 460, 464 (Pa.Super. 2026) (citation omitted). Before reviewing the merits of Abdulhadi's claim, we must determine whether:

(1) the appeal is timely; (2) the appellant has preserved his issue; (3) his brief includes a concise statement of the reasons relied upon for allowance of an appeal with respect to the discretionary aspects of his sentence; and (4) the concise statement raises a substantial question whether the sentence is inappropriate under the Sentencing Code.

Id.; ***see also*** Pa.R.A.P. 2119(f) (stating that "[a]n appellant who challenges the discretionary aspects of a sentence in a criminal matter shall set forth in a separate section of the brief a concise statement of the reasons relied upon for allowance of appeal with respect to the discretionary aspects of a sentence").

Abdulhadi has complied with the foregoing requirements. His appeal is timely, he preserved the issue in a post-sentence motion, and his brief includes a statement of the reasons for allowance of appeal. He has also raised a substantial question. Abdulhadi claims the sentencing court imposed an excessive sentence "based on a myopic focus on the facts of the case rather than taking into account his limited involvement in the criminal justice system and positive achievement." Abdulhadi's Br. at 8; ***see Commonwealth v.***

Alameda, 339 A.3d 504, 512 (Pa.Super. 2025) (concluding that a claim that the court's failure to consider mitigating factors resulted in an excessive sentence raised a substantial question), *appeal denied*, 353 A.3d 546 (Pa. 2026) (Table). Thus, we proceed to the merits of Abdulhadi's claim.

Abdulhadi alleges that his sentence was excessive because the trial court focused exclusively on the facts of the underlying case and did not consider his prior record score of zero or that he had no prior history of domestic violence. He further states that the court's sentence "was grounded on determining, without any evidence presented on the record, that [Abdulhadi's] actions were built on him having personal qualities of rage and domination." Abdulhadi's Br. at 10-11. Abdulhadi asserts that the sentencing court's acknowledgment of the mitigating factors of his employment and role as caretaker for his father was "lip-service." **Id.** at 11. Abdulhadi asserts that he took responsibility for his conduct, expressed his desire to have "a positive future of co-parenting" with the victim, and described his caretaking responsibility for his father. **See id.** at 11-12. He further claims that the court "attribute[ed] thoughts and attitude" to Abdulhadi's failure to say, "I'm sorry" or "I didn't mean to." **Id.** at 12 (quoting N.T., Sentencing, at 22).

"Sentencing is a matter vested in the sound discretion of the sentencing judge, and a sentence will not be disturbed on appeal absent a manifest abuse of discretion." **Commonwealth v. Dortch**, 343 A.3d 298, 310 (Pa.Super. 2025) (citation omitted), *appeal denied*, 2026 WL 2388309 (Table) (Pa. filed Aug. 17, 2026). An abuse of discretion occurs when "the sentencing court

ignore[s] or misapplie[s] the law, exercise[s] its judgment for reasons of partiality, prejudice, bias or ill will, or arrive[s] at a manifestly unreasonable decision.” ***Commonwealth v. Summers***, 245 A.3d 686, 693 (Pa.Super. 2021) (citation omitted). In imposing sentence, the sentencing court must consider “the protection of the public, the gravity of the offense as it relates to the impact on the life of the victim and on the community, and the rehabilitative needs of the defendant.” 42 Pa.C.S.A. § 9721(b). Where the court had access to a PSI, we presume “the court was aware of and weighed all relevant information contained [in the PSI] along with any mitigating sentencing factors.” ***Commonwealth v. Campbell***, 347 A.3d 707, 721-22 (Pa.Super. 2025) (citation omitted), *appeal denied*, 357 A.3d 1207 (Pa. 2026) (Table). Additionally, “the weight accorded to the mitigating factors or aggravating factors presented to the sentencing court is within the court’s exclusive domain.” ***Commonwealth v. Velez***, 273 A.3d 6, 10 (Pa.Super. 2022).

Here, the court explained its reasoning for the imposed sentence as follows:

The court observed that while [Abdulhadi] took responsibility by entering a plea, he did not express remorse but rather, referred to their toxic relationship as an excuse for what happened. ([N.T., Sentencing,] at 20-22).

The court reviewed each of the Sentencing Code factors and noted that “[h]is history clearly is not such that he has committed violent offenses, but this obviously - - the first time that he did, it was a serious violent offense.” (*Id.* at 25). The court declined [Abdulhadi’s] invitation to view the incident as a mutual fight. (*Id.* at 20-22, 25). The court also

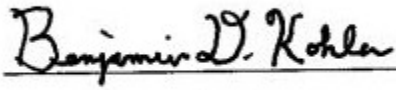
explained that while [Abdulhadi] was gainfully employed and taking care of his father, there was nothing of record to consider as a mitigating factor to support his requested deviation from the guideline. (*Id.* at 26-27).

Trial Ct. Op. at 3-4.

The court acknowledged Abdulhadi was his father's caretaker but also pointed out that he did not take on that responsibility until "shortly before [Abdulhadi] entered this guilty plea." N.T., Sentencing, at 26. The court also noted that Abdulhadi was employed. *Id.* The court stated on the record that Abdulhadi had a prior record score of zero, "[h]is history clearly is not such that he has committed violent offenses," and its hope that Abdulhadi would avail himself of the anger management program. *Id.* at 3, 24-25. The court also reviewed the PSI, and we therefore presume the court was aware of and weighed all relevant information, including Abdulhadi's mitigating factors. *Campbell*, 347 A.3d at 721-22. The record shows that the court discussed each sentencing factor under Section 9721 but afforded no weight to the mitigating factors, which was within its exclusive domain, and imposed a sentence at the bottom of the standard range. N.T., Sentencing, at 26 (court stating "there's nothing that mitigates this case"); *id.* at 19-26; *Velez*, 273 A.3d at 10. We find no abuse of discretion.

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