

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
v.	:	
	:	
LUKE HOLLERAN	:	
	:	
Appellant	:	No. 1708 MDA 2025

Appeal from the Judgment of Sentence Entered December 2, 2025
In the Court of Common Pleas of Lycoming County Criminal Division at
No(s): CP-41-CR-0001410-2025

BEFORE: KUNSELMAN, J., KING, J., and STEVENS, P.J.E.*

OPINION BY KUNSELMAN, J.:

FILED: OCTOBER 14, 2026

In this summary matter, Luke Holleran appeals from the judgment of sentence of nine months' probation, after the trial court convicted him of two counts of disorderly conduct and of harassing the Lycoming County 911 Center's personnel.¹ Because the Commonwealth offered sufficient evidence to establish that Holleran possessed the requisite, criminal intent to commit those crimes, we affirm.

In 2024, Holleran and his twin, Andrew Holleran ("Brother"), were 31 years old, when Holleran decided to move to Williamsport to be closer to his mother, Rosemary Alderete. Holleran and Brother rented an apartment together in a residential neighborhood. Their apartment was the bottom floor of a two-story house. **See** N.T., 12/2/25, at 30. It had a "front door on the

* Former Justice specially assigned to the Superior Court.

¹ **See** 18 Pa.C.S.A. §§ 5503(a)(2), 5503(a)(4), and 2709(a)(3).

porch, which [was] a common area” **Id.** at 31. Another family lived in the upstairs apartment.

Williamsport’s police frequently interacted with the Hollerans, because the “whole house [was] full of mental-health issues.” Commonwealth’s Ex. 1A, File 2025-10-26_14.24.20_Ch85130400 at 0:30-32. Holleran had “severe mental-health issues, and . . . Brother [was] just as bad, if not worse.” **Id.** at 1:36-43; Commonwealth’s Ex. 1A, File 2025-10-26_14.58.10_Ch85130514 at 0:17-22. Holleran was diagnosed with Autism Spectrum Disorder (“ASD”), a diagnosis with which he, a psychology major, disagreed. **See** N.T., 12/2/25, at 60-61. ASD caused Holleran to “talk loud[ly] and a lot.”² Commonwealth’s Ex. 1A, File 2025-10-26_15.23.38_Ch85130580 at 0:34-36.

Holleran and Brother had an ongoing feud. On October 7, 2025, their fighting prompted Holleran to call the Lycoming County 911 Center four times. **See** Commonwealth’s Ex. 1A, File 2025-10-26_14.24.20_Ch85130400 at 0:50-53. Two weeks later, on October 20, 2025, Holleran placed three more calls to 911. **See** at 0:49-50.

Six days later, on October 26, 2025, Holleran was in the apartment with his Brother, whom he feared. **See id.** at 34. At 2:03 p.m., Holleran called 911 to report “a domestic disturbance.” **Id.**

² “Children and adults with autism may have difficulty with social interaction and communication skills, **particularly in** . . . regulating tone of voice (e.g. they may speak too loudly”) Autism Speaks, “Symptoms of Autism,” available at <https://www.autismspeaks.org/autism-symptoms> (last visited 8/24/26) (emphasis in original; some capitalization omitted).

The 911 operator who answered Holleran's call recorded their conversation. The interaction went as follows:

Operator: Lycoming County 911. What is the address of your emergency?

Holleran: You think I'm playing, but I need a restraining order. I don't know how that is solved or done, but I need somebody here for a restraining order!

Operator: Okay. What's the address?

Holleran: Move my twin [Brother] to go to my mom's place.

Operator: Okay. What's your address?

Holleran: Luke Francis Holleran!

Operator: Okay, so, this is Luke Francis Holleran?

Holleran: I need, ah -- it's called like, a P.R.O. Like a part-time, errrr, -- a temporary, T.R.O.? A Temporary Restraining Order? A T.R.O.? Or is that even done here?

Operator: Okay. Are you at 2322 West Fourth --

Holleran: Whatever it is. No, 4223 Fourth Street.

Operator: Is that 22 --

Holleran: I need a -- I need T.R.O. for a, or, ah a T.R. -- or a P.R.O.! Let me fucking finish, ya piece of shit!

Operator: All right. Hey, Luke, I'm a -- Luke. Luke. Luke. Luke.

Holleran: I can't -- I can't even understand you guys! I need [Brother] outta here! I need him taken to my mom's house, and --

Operator: Bye, Luke. Byyyyyye. [*sic*]

Commonwealth's Ex. 1A, File 2025-10-26_14.03.14_Ch85130364 at 0:00-58.

With that, the operator ended the call. ***See id.***

A minute later, Holleran called back. A different operator took the call. He also recorded the conversation which went as follows:

Operator: Lycoming County 911. What is the address of your emergency?

Holleran: First, I want to make a complaint to your 911, ah -- assistant.

Operator: Luke, take a deep breath and calm down, or we're not going to speak with you.

Holleran: I want to make a complaint for -- I already made two, detailed reports. ***You*** need to take a deep breath, because ***I'm*** calling about ***you***.

Operator: Did you call 911 to request police, fire, or EMS? Please don't call again.

Commonwealth's Ex. 1A, File 2025-10-26_14.05.32_Ch85130356 at 0:00-18 (emphasis in original). The second operator ended the call.

The first operator then radioed Officer Tanner Troutman of the Williamsport police. She said, "I'm not sure if you guys are familiar with Luke Holleran. He's at 2322 West Fourth Street. But he keeps calling 911 and saying he wants a PFA against his mom." Commonwealth's Ex. 1A, File 2025-10-26_14.06.00_Ch85130358 at 0:12-22.

Officer Troutman then asked her how many times Holleran had called 911 on October 26, 2025. The operator replied, "So far, twice. I'm sure he'll be calling back. He was pretty irate." Commonwealth's Ex. 1A, File 2025-10-26_14.06.29_Ch85130363 at 0:07-12. She dispatched the officer and his partner to the Hollerans' apartment to see what Holleran wanted.

When the officers arrived, they were in uniform and driving a marked patrol car. They "knocked on the door to see what was going on, to see what [Holleran] needed." N.T., 12/2/25, at 19. After a couple minutes, Holleran opened his door. Officer Troutman "asked him how [they] could help him." ***Id.*** Members of the public were present in the immediate vicinity during the police and Holleran's interaction.

Holleran said that "he wanted a temporary . . . he called it a P.R.O., and then before [Officer Troutman] could even answer him, [Holleran] said, ['I]f you're not going to help me then . . . Fuck off.['] And then [he] slammed the door and went back inside." ***Id.*** at 19-20. Holleran never told the police that he was afraid of Brother. ***See id.*** at 36. Officer Troutman directed Holleran not to call 911 again. ***See id.*** at 20.

Still, the officers remained on the porch and gave Holleran another opportunity to speak with them. They "asked him if he could come out and [tell them] what he wanted" ***Id.*** Holleran reopened the door "and said again that he wanted a P.R.O." ***Id.***

Officer Troutman attempted “to explain how [he could] do that [by] contacting Wise Options^[3] as [the police] would normally recommend”

Id. The “first words out of [Officer Troutman’s] mouth were . . . trying to tell [Holleran] how he needs to get a P.F.A., if that’s what he wants.” **Id.** at 28.

Holleran, displeased with the explanation, loudly yelled “Fuck off!” and he slammed the door on the officers. **See id.** at 20, 28. Officer Troutman reiterated that Holleran needed “to stop calling the police.” **Id.**

They returned to the station, and Officer Troutman called the 911 center to ascertain what Holleran “was alleging or what he needed help with and the history of his calls.” **Id.** at 21. The first 911 operator informed him that Holleran had already called 911 13 times in October alone. While Officer Troutman was on the phone with the first operator, Holleran called 911 again and again, bringing his October total to 16 calls. **See id.** at 21-22; **see also** Commonwealth’s Ex. 1A, File 2025-10-26_14.24.50_Ch85130400 at 2:26-3:15.

³ Wise Options is a charity-run, victim-assistance program. It “offers a range of services, including emergency shelter for survivors and their children, community-based services, advocacy, and support. All services are available to those who have experienced, witnessed, or had a family member involved in domestic violence, sexual violence, or other violent crimes.” Williamsport YWCA, “Survivor Services,” available at <http://ywcawilliamsport.org/get-help/survivor-services/> (last visited 8/25/26). Wise Options’ legal advocates “explain the legal process of protection orders and paperwork, courtroom procedure, and discuss safety planning, as well as offer other community supports.” **Id.** The advocates also partner “with local legal firms, McCormick Law Firm and North Penn Legal Services, who provide proper court representation, as needed.” **Id.**

Holleran made his third 911 call on October 25, 2026 at 2:27 p.m. **See** N.T., 12/2/25, at 22. The second operator recorded that call, which went as follows:

Operator: Lycoming County 911. What is the address of your emergency?

Holleran: I'm making a complaint to Lubington [sic] County! Whatever the fuck this bum-fuck-ass county is, that has more [words incomprehensible] than fucking people! I'm gonna report you mother fuckers!

Operator: Luke is calling again. You want to let [Officer Troutman] know?

Commonwealth's Ex. 1A, File 2025-10-26_14.27.03_Ch85130404 at 0:00-19.
That call then ended.

A few seconds later, Holleran called back. The second operator answered and recorded Holleran's fourth 911 call of the day.

Operator: Lycoming County 911. What is the --

Holleran: If you mother fuckers can't do a P.R.O. or a T.R.O. --

Operator: Luke, the police are coming over. They are gonna talk to you about that. They're gonna come over and talk to you about -- They're going to come over and talk to you about screaming --

Commonwealth's Ex. 1A, File 2025-10-26_14.27.32_Ch85130412 at 0:11-28.
Holleran hung up on the operator.

A minute later, he called again. The second operator answered and recorded the conversation. It began with Holleran nonsensically hollering into the phone:

Holleran: Aaaaaah!!! What?!? What the fuck do you -- [The operator talked over Holleran.]

Operator: Luke, what is your problem, man? Why do you call in here and speak to me like this? You have some issues, man. You got to take care of this. Luke. Luke, Stop!

Holleran: Fuck you! Fuck you! Fuck you! Fuck you!

Operator: What is your problem, dude?

Holleran: I will make you –

Operator: All right. Well, police are coming over to arrest you.

Commonwealth's Ex. 1A, File 2025-10-26_14.28.07_Ch85130419 at 0:00-28.

That call ended.

A few seconds later, Holleran called for the sixth time that day. Again, the second operator answered and recorded the conversation:

Holleran: Already on the way? You are no longer needed! Fuck off!

Operator: No, they're coming back over, Luke. I don't know why you think it's okay to call into 911 and speak to us like that, but it's not okay. And it's not legal. Do you understand that?

Commonwealth's Ex. 1A, File 2025-10-26_14.29.17_Ch85130416 at 0:16-38.

Holleran hung up.

Eight minutes later, Holleran made his seventh call of the day to 911.

The first operator answered and recorded the following:

Operator: Lycoming County 911. What is the address of your emergency?

Holleran: I wanted, I wanted this dude outta my sight still! Come over here and do the T.R.O.! P.R.O.!

Commonwealth's Ex. 1A, File 2025-10-26_14.38.44_Ch85130449 at 0:00-19.

That call ended.

Around the same time, Officer Troutman and his partner returned to the Hollerans' apartment. **See** N.T., 12/5/25, at 24. There was also a third officer with them. The police again knocked on the door, but Holleran "was hesitant on coming out." **Id.** at 25. Holleran "us[ed] profane language, his language was elevated, causing nearby neighbors to come out on their porches to watch and see what was going on." **Id.** People passing by on the sidewalk also stopped to look. **See id.** at 30.

The officers saw no signs of abuse on Holleran. **See id.** at 29. They eventually got him outside and arrested him. **See id.** at 25.

After being handcuffed, Holleran continued screaming as the police led him to their car. "He was very loud [and] belligerent, using profane language. Again, basically calling the attention from people that were nearby . . . there

was a guy on a stoop recording, next door, the cause of the disturbance.” ***Id.*** at 26.

The matter proceeded to a non-jury trial. The trial court convicted and sentenced Holleran as described above and ordered he “undergo a mental-health evaluation and follow all recommendations.” ***Id.*** at 63. Holleran did not object to the aggregate sentence of nine months on probation, nor did he file a post-sentence motion. ***See id.*** at 64-65. Instead, five days after being sentenced, Holleran filed an appeal to this Court.

He raises two issues as follows:

1. Whether the evidence presented at trial failed to prove every element of the crimes charged beyond a reasonable doubt, and, therefore, was insufficient to support [Holleran’s] convictions.
2. Whether the trial court abused its discretion by sentencing [Holleran] to nine months’ probation.

Hollerans’ Brief at 7.

First, Holleran believes the trial court erroneously convicted him of all the offenses. In his view, there was insufficient evidence that he committed any crime at all, much less three of them.

According to Holleran, the Commonwealth failed to prove he committed the crime of disorderly conduct (making unreasonable noise), because the Commonwealth did not prove beyond reasonable doubt that he had the *mens rea* that the statute requires. He asserts that, for the criminal intent to cause public inconvenience, annoyance, or alarm to arise, the actor must be in

public, and “he was not in a ‘public’ place at the time” of the incident. ***Id.*** at 14. Furthermore, he argues that the Commonwealth’s evidence did not satisfy this Court’s four-factor test for the element of “unreasonable noise” – namely, volume, duration, time of day, and a report to the police. ***See id.*** at 15. He claims that the Commonwealth’s evidence either ignored or disproved those factors. ***See id.*** at 15-17.

Regarding his other disorderly-conduct conviction (creating a hazardous or physically offensive condition), Holleran again asserts that he was not in public at the time of the incident. ***See id.*** at 18. He observes that he was in his apartment for all the 911 calls that formed the basis of this charge.

Finally, for the harassment conviction, Holleran “contends that his conduct did serve a legitimate purpose, as his actions were undertaken in response to a perceived situation.” ***Id.*** at 19. “He maintains that he was responding to a ‘perceived annoyance’ and did not have the intent to harass, nor did the Commonwealth provide any evidence regarding an intent to harass.” ***Id.*** Holleran reasserts his rendition of the facts to claim he “needed to call 911, because he was not getting the help he needed, and it was his understanding that, if one needs help, they call 911.” ***Id.*** (some punctuation omitted). He further contends that “it is more likely that [he] was involved in a mental-health crisis as opposed to having the intention of committing the crime of harassment.” ***Id.*** at 20.

A sufficiency of the evidence presents a question of law, for which “our standard of review is *de novo*, and our scope of review is plenary.”

Commonwealth v. Williams, 176 A.3d 298, 305 (Pa. Super. 2017). We view “the record in the light most favorable to the Commonwealth, as the verdict winner, giving the prosecution the benefit of all reasonable inferences to be drawn from the evidence.” ***Commonwealth v. Henck***, 342 A.3d 726, 732 (Pa. Super. 2025). “Evidence will be deemed sufficient to support the verdict when it establishes each material element of the crime charged and the commission thereof by the accused, beyond a reasonable doubt.” ***Id.***

In performing a sufficiency-of-the-evidence review, “this Court may not substitute its judgment for that of the factfinder, and, where the record contains support for the convictions, they may not be disturbed. Lastly, we note that the finder of fact is free to believe some, all, or none of the evidence presented.” ***Id.***

The General Assembly has dictated that:

A person is guilty of disorderly conduct if, with intent to cause public inconvenience, annoyance or alarm, or recklessly creating a risk thereof, he . . .

(2) makes unreasonable noise; . . . or

(4) creates a hazardous or physically offensive condition by any act which serves no legitimate purpose of the actor.

18 Pa.C.S.A § 5503(a).

Importantly, the legislature has explicitly defined “public” as used in the disorderly-conduct statute. “As used in this section the word ‘**public**’ means affecting or likely to affect persons in a place to which the public or a

substantial group has access; among the places included are . . . apartment houses . . . any neighborhood, or any premises which are open to the public.” 18 Pa.C.S.A. § 5503(c) (emphasis in original).

“The *mens rea* requirement of Section 5503 demands proof that appellant by [his] actions intentionally or recklessly created a risk of causing or caused a public inconvenience, annoyance or alarm.” ***Commonwealth v. Gilbert***, 674 A.2d 284 (Pa. Super. 1996) (some punctuation omitted). The statute’s specific “intent requirement may be met by a showing of a ***reckless disregard of the risk*** of public inconvenience, even if appellant’s principal intent was to insult the police [and 911 operators,] rather than to cause public inconvenience or annoyance.” ***Commonwealth v. Kidd***, 442 A.2d 826, 827 (Pa. Super. 1982) (emphasis added).

Here, Holleran made his disturbance by repeatedly calling 911 from inside his apartment house. Although he intended his messages for the 911 operators and the responding officers, he made his communications to them while in “public,” as the legislature defined that term in the disorderly-conduct statute. While in that “public” space, he clearly showed a reckless disregard for the risk that his screaming would inconvenience, annoy, or alarm his neighbors and others passing by on the sidewalk.

Under Section 5503(c), Holleran was, by definition, in “public.” His contention that he could not form the requisite criminal intent to violate the disorderly-conduct statute, because he was in his apartment, is untenable based on the plain language of the statutory definition of “public.” The statute

defines “public” to include an apartment house. **See** 18 Pa.C.S.A. § 5503(c). Thus, his argument fails, as a matter of law.

Holleran’s claim that he was not in “public” when he made unreasonable noise fails for the same reason. Additionally, for this charge, he continued to make unreasonable noise after being arrested and while being taken to the police car. Thus, he also made his very loud noises outside the building and in the neighborhood. Because Holleran was in “public” when he committed his two crimes of disorderly conduct, the trial court could reasonably conclude that he, at least, recklessly disregarded the risk of causing public inconvenience, annoyance, or alarm. There was legally sufficient proof to establish the *mens rea* for both disorderly-conduct convictions.

Still, Holleran contends there was legally insufficient evidence to convict him of disorderly conduct (unreasonable noise), because the Commonwealth did not prove four factors that he believes this Court has established for the crime in question. For this proposition, Holleran cites a civil case from the United States District Court for the Eastern District of Pennsylvania. **See** Holleran’s Brief at 15 (citing **McNeil v. Easton**, 694 F. Supp. 2d 375 (E.D. Pa. 2010)). In **McNeil**, the district court created, out of whole cloth, the four-factor test that Holleran claims the Commonwealth needed to satisfy in order to prove the noise he made was unreasonable.

There, the federal district court was deciding a motion for summary judgment in a civil-rights suit, not a criminal case based on 18 Pa.C.S.A. § 5503(a). The district court said, “The Superior Court of Pennsylvania has

identified four factors relevant to determining whether a person has engaged in disorderly conduct by making unreasonable noise: (1) the volume of the noise; (2) the duration of the noise; (3) the time of day; and (4) whether the noise was reported to the police.” **McNeil**, 694 F. Supp. 2d at 391 (citing **Commonwealth v. Maerz**, 879 A.2d 1267 (Pa. Super. 2005) and **Commonwealth v. Alpha Epsilon Pi**, 540 A.2d 580 (Pa. Super. 1988)).

Notably, neither **Maerz** nor **Alpha Epsilon Pi** established a four-factor test, and this Court declines to do so today. No language of the disorderly-conduct statute imposes such a burden of proof upon the Commonwealth. Had the General Assembly desired for “unreasonable noise” to be based upon (1) the volume of the noise; (2) the duration of the noise; (3) the time of day; and (4) whether the noise was reported to the police, the legislature was free to adopt a subsection defining the term in that manner. It did not.

In fact, this Court held that the Commonwealth needs to prove only that the defendant “made an unreasonable noise.” **Alpha Epsilon Pi**, 540 A.2d at 583. In other words, the legislature meant what it said and said what it meant when it adopted the current iteration of the disorderly-conduct statute.

Regarding that *actus reus* element, the **Alpha Epsilon Pi** Court opined that the current version of the law **replaced** a list of factors from the prior statute with the broader language of “unreasonable.” We opined as follows:

The enactment of the Crimes Code resulted **in the elimination** of the statutory phrase, “any loud, boisterous and unseemly noise.” The present requirement, tracking the Model Penal Code, is that the noise be “unreasonable.” None of the appellate cases which have reviewed § 5503 of

the Crimes Code since 1973 have been required to examine and construe the term “unreasonable noise” in the context of a music sound system. The statute itself focuses on public inconvenience or annoyance. It goes on to include “any neighborhood” within the definition of the word “public.” 18 Pa.C.S.A. § 5503(a), *supra*.

In the case before us, the police officer had proceeded to a borough neighborhood at 11:20 p.m. on a Wednesday night. He went to the area after receiving a complaint from a resident of that neighborhood. Stopping in his car some fifty yards from the Appellant’s premises, he heard the sound of music coming from the fraternity house. He observed and overheard a group of thirty or forty people outside the house, on the lawn, laughing, talking and drinking beer. The noise continued up to the time that Officer Territo requested that the volume of the music be turned down. Given the time of day, the officer’s ability to hear the noise from a distance of fifty yards during a warm, summer night, and the initial complaint to the officer which was made by a resident living at least one block away, we cannot say that the trier of fact could not have found the noise to have been unreasonable.

Id. at 583 (emphasis added). Apparently, the federal district court in **McNeil** confused our review of the facts and deference to the trial court’s determination of unreasonableness in **Alpha Epsilon Pi** for the establishing of four factors for the Commonwealth to satisfy in all of its unreasonable-noise prosecutions for disorderly conduct.

Pennsylvania courts are “not obligated to follow the decisions of the lower federal courts.” **Commonwealth v. Carson**, 913 A.2d 220, 264 n.27 (Pa. 2006). Therefore, we now expressly disapprove of the **McNeil** Court’s misreading of our case law, to the extent that it believed this Court required

the Commonwealth to satisfy a four-factor test to prove the unreasonable-noise element of disorderly conduct.

Under our precedents, the Commonwealth merely needs to convince the fact finder that the noise the defendant made was unreasonable in the totality of the circumstances of the case at hand. Clearly, this may vary from one setting to the next. What will constitute unreasonable noise in an apartment house will not be the same as unreasonable noise in a stadium on game day, or at a backyard barbeque, or in a house of worship during a funeral service, or in a library. Our legislature has committed that determination to the finder of fact to be made on a case-by-case basis.

Thus, Holleran's reliance upon the now-disapproved **McNeil** factors is misplaced. We afford him no relief on that ground.

Turning to Holleran's harassment conviction, he contends that he lacked the *mens rea* to commit that crime as well, because he meant to seek help from the 911 operators, rather than to harass them. The multiple audio recordings of the calls themselves belie his contention.

"A person commits the crime of harassment when, with intent to harass, annoy or alarm another, [he] . . . (3) engages in a course of conduct or repeatedly commits acts which serve no legitimate purpose." 18 Pa.C.S.A. § 2709(a).

Even if Holleran originally called 911 on October 26, 2025 to seek help in obtaining a PFA against Brother, the trial court rationally rejected Holleran's self-serving view of his intent when he called 911 over and over again to curse

at and to berate the public servants who worked there. Thus, the trial court could reasonably infer from the 911 recordings that Holleran's intention was to harass, annoy, or alarm the operators when he placed his second, third, fourth, fifth, sixth, and seventh calls of the day. Indeed, the trial court was free to disbelieve Holleran's view of his intent for calling 911 again and again as incredible. ***See Henck, supra.*** By doing so, the trial court's factual findings preclude him from pursuing this line of appellate argument. On appeal, Holleran is no longer entitled to rely upon his rendition of the facts, because we must view them in the light most favorable to the Commonwealth. ***See id.***

Finally, Holleran contends that he was acting out due to a mental-health crisis on October 26, 2025. However, he made no temporary-insanity defense below. Insanity is an affirmative defense that the defendant must raise and prove at trial. The "burden is upon the defendant to prove by a preponderance of the evidence that at the time of the commission of the offense, he was laboring under such a defect of reason, from disease of the mind, as not to know the nature and quality of the act, or the alternative that he did not know that what he was doing was wrong." ***Commonwealth v. Sohmer***, 546 A.2d 601, 604 (Pa. 1988). In fact, Holleran vehemently asserted to the trial court that he did not have a mental-health issue. ***See*** N.T., 12/5/25, at 61.

Holleran presented no insanity defense before the trial court, much less carry his burden of proof in that regard. "Issues not raised in the trial court are waived and cannot be raised for the first time on appeal." Pa.R.A.P.

302(a). Thus, Holleran has waived any claim that he was suffering from a mental illness or mental-health crisis on October 26, 2025.

Holleran's sufficiency claims do not warrant appellate relief.

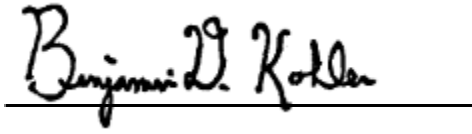
In his second issue, Holleran seeks to appeal the discretionary aspects of his sentence. "[T]here is no absolute right to appeal when challenging the discretionary aspect of a sentence." ***Commonwealth v. Crump***, 995 A.2d 1280, 1282 (Pa. Super. 2010); **see also** 42 Pa.C.S.A. § 9781(b). Critically, "issues challenging the discretionary aspects of a sentence ***must be raised*** in a post-sentence motion or by presenting the claim to the trial court during the sentencing proceedings. Absent such efforts, an objection to a discretionary aspect of a sentence is waived." ***Commonwealth v. Cartrette***, 83 A.3d 1030, 1042 (Pa. Super. 2013) (emphasis added).

As mentioned above, Holleran made no objection to the discretionary aspects of his sentence at the time of sentencing, nor did he file a post-sentence motion seeking to amend his sentence. Accordingly, he has waived his claim that the sentencing court abused its discretion by running his three sentences of probation consecutively. Therefore, this Court denies his petition for allowance of appeal on his second and final issue.

Petition for allowance of appeal as to discretionary aspects of sentence denied.

Judgment of sentence affirmed.

Judgment Entered.

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

Benjamin D. Kohler, Esq.
Prothonotary

Date: 10/14/2026