NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF PENNSYLVANIA
v.	:	
NATHAN STUART MORRELL	:	
Appellant	:	No. 1728 MDA 2025

Appeal from the Judgment of Sentence Entered November 13, 2025
In the Court of Common Pleas of Fulton County Criminal Division at
No(s): CP-29-CR-0000141-2022

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

MEMORANDUM BY SULLIVAN, J.: **FILED: NOVEMBER 19, 2026**

Nathan Stuart Morrell ("Morrell") appeals from the judgment of sentence imposed following his bench trial convictions for two counts of driving under the influence of alcohol ("DUI"), one count each of operation of a motor vehicle without required financial responsibility, failure to notify police of an accident, careless driving, illegal turning movements and required signals, unsafe operation, illegal all-terrain vehicle ("ATV") operation, and two counts of unlawful operation without registration.[1] Because all of Morrell's claims are without merit, we affirm.

In July 2022, between 3:30 and 4:00 PM, Morrell was driving an ATV on a roadway when he pulled in front of a car driven by Nicholas Schreiber ("Schreiber"). ***See*** N.T., 8/27/25, at 4, 8-9. Schreiber followed Morrell for

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[1] ***See*** 75 Pa.C.S.A. §§ 3802(b), 3802(a)(1), 1786(f), 3746(a)(2), 3714(a), 3334(a), 7726(a)(2), 7721(a), 7711.1(a)(2), 7711.1(a)(1).

about two minutes before using his turn signal and attempting to pass Morrell on a straight stretch of the road. ***See id***. at 5-7, 17. As Schreiber passed Morrell's ATV, Morrell turned left and struck the rear side of Schreiber's car. The collision caused Schreiber's car to spin out, slide into an embankment on the side of the road, cross the roadway, strike a utility pole, and come to a stop next to a large rock off the roadway. ***See id***. at 7, 18-19; Trial Court Opinion, 2/6/26, at 5.

Schreiber got out of his vehicle and observed Morrell's ATV on its side. ***See*** N.T., 8/27/25, at 17-18. He checked on Morrell, who was bleeding at his ankle but was otherwise okay. ***See id***. at 8-9, 15. Schreiber testified that it appeared Morrell was intoxicated based on his behavior and manner of speaking. ***See id***. at 8-9. Schreiber also observed cans rolling around the floor of the ATV. ***See id***. at 9-10. Morrell told Schreiber he did not want the police to get involved and that he would get a pickup truck to remove Schreiber's damaged vehicle. ***See id***. at 10; Trial Court Opinion, 2/6/26, at 5-6.

About ten minutes later, Morrell's wife arrived at the scene carrying a stethoscope. ***See*** N.T., 8/27/25, at 10, 15. She climbed onto the ATV and drove it to their nearby residence, as Morrell walked alongside it back home. ***See id***. at 10-11. Morrell left when Schreiber informed him and his wife that he was going to call the police to report the accident. ***See id***. at 12.

Corporal Zane Baker ("Corporal Baker") arrived at the scene at 7:25 PM. ***See id***. at 32, 34. Schreiber was the only person present upon Corporal

Baker's arrival. ***See id***. at 34-35. Schreiber told Corporal Baker that something seemed off about Morrell and that he was not acting normally. ***See id***. at 53. As the two spoke, Morrell's wife approached them holding an IV bag with fluids. ***See id***. at 39. She identified herself as a nurse, and Morrell's wife, and admitted he was involved in the crash and presently at their home nearby. ***See id***. at 39, 54.

Corporal Baker drove to the Morrells' residence. ***See id***. at 39-40. Morrell came to the front door holding a Bud Light beer can in one hand and had an IV connected to his other arm. ***See id***. at 41. Corporal Baker testified he detected an "overwhelming odor of alcohol" emanating from Morrell, who appeared "disheveled" and had bloodshot eyes. ***Id***. at 42, 45. Morrell admitted he had been operating the ATV and stated that even though he had not been drinking prior to the crash, he had consumed four beers between the time of the crash and Corporal Baker's arrival at his residence. ***See id***. at 42.

Morrell explained he had been driving down the road to feed his neighbor's dog and, while he was attempting to make a left turn onto a side lane, Schreiber's vehicle collided with his ATV. ***See id***. at 43-44. Morrell admitted he failed to use a turn signal or hand signals to indicate his intention to turn. ***See id***. at 44. Corporal Baker observed damage to the ATV consistent with collision damage. ***See id***. at 48.

Based on Corporal Baker's suspicion that Morrell had been driving under the influence, Corporal Baker asked Morrell to remove the IV within approximately five minutes of when their interaction began. ***See id***. 45-46,

57; Trial Court Opinion, 2/6/26, at 7. Morrell declined to perform field sobriety tests but consented to a preliminary breath test ("PBT"). ***See*** N.T., 8/27/25, at 46, 57. Based on the PBT results, Corporal Baker arrested Morrell for driving under the influence. ***See id***. at 46. Morrell was transported for a blood draw within two hours of the crash and tested positive for alcohol. ***Id***. at 47, 57. The blood test results were admitted by stipulation and established that Morrell's whole blood alcohol concentration ("BAC") was between .169 and .138, and the trial court found Morrell's BAC was .138 within two hours of the accident. ***See id***. at 90.

Morrell was found guilty of the above-listed offenses in August 2025. Morrell was sentenced to 48 hours in a county correctional facility along with related special conditions, as well as related fines, fees, and costs.

Morrell timely appealed. Both Morrell and the trial court complied with Pa.R.A.P. 1925.

Morrell raises the following issues for our review:

> 1. Did the lower court err in finding [Morrell] guilty of [DUI]- [i]ncapable of [s]afe [d]riving[,] 75 Pa.C.S.[A. §] 3802(a)(1)[,] and [DUI]- [h]igh [r]ate of [a]lcohol[,] 75 Pa.C.S.[A. §] 3802(b)[,] because the evidence presented at trial, was insufficient as a matter of law . . . because the evidence failed to establish [Morrell] consumed alcohol prior to operating a motor vehicle?
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> 2. Did the lower [c]ourt err in finding [Morrell] guilty of [r]equired [f]inancial [r]esponsibility[,] 75 Pa.C.S.[A. §] 1786(f)[,] because the evidence presented at trial was insufficient as a matter of law . . . because the evidence failed to establish [Morrell] was the owner of the motor vehicle that was driven?

3. Did the lower [c]ourt err in finding [Morrell] guilty of [c]areless [d]riving[,] 75 Pa.C.S.[A. §] 3714(a)[,] because the evidence presented at trial was insufficient as a matter of law . . . because the evidence failed to establish [Morrell] drove his vehicle in careless disregard for the safety of persons or property?

4. Did the lower [c]ourt err in finding [Morrell] guilty of [o]peration in [s]afe [m]anner[,] 75 Pa.C.S.[A. §] 7726(a)(2)[,] because the evidence presented at trial was insufficient as a ` of law . . . because the evidence failed to establish [Morrell] operated an ATV in a careless way?

5. Did the lower [c]ourt err in finding [Morrell] guilty of [r]egistration of [s]nowmobile or ATV[,] 75 Pa.C.S.[A. §] 7711.1(a)(1)[,] because the evidence presented at trial was insufficient as a matter of law . . . because the evidence failed to establish [Morrell] did not carry on the ATV a valid registration certificate?

Morrell's Brief at 4-6.

All of Morrell's issues implicate the sufficiency of the evidence. Our standard of review of a challenge to the sufficiency of the evidence to support a conviction are well-settled:

> The standard we apply . . . is whether [,] viewing all the evidence admitted at trial in the light most favorable to the verdict winner, there is sufficient evidence to enable the fact-finder to find every element of the crime beyond a reasonable doubt. In applying the above test, we may not weigh the evidence and substitute our judgment for the fact-finder. In addition, we note that the facts and circumstances established by the Commonwealth need not preclude every possibility of innocence. Any doubts regarding a defendant's guilt may be resolved by the fact-finder unless the evidence is so weak and inconclusive that as a matter of law no probability of fact may be drawn from the combined circumstances. The Commonwealth may sustain its burden of proving every element of the crime beyond a reasonable doubt by means of wholly circumstantial evidence. Moreover, in applying the above test, the entire record must be evaluated and all evidence received must be considered. Finally, the finder of fact,

> while passing upon the credibility of witnesses and the weight of the evidence produced, is free to believe all, part or none of the evidence.

Commonwealth v. Reed, 216 A.3d 1114, 1119 (Pa. Super. 2019). Moreover, "[t]his Court must determine whether the evidence and all reasonable inferences deducible therefrom, when viewed in the light most favorable to the verdict-winner, here the Commonwealth, are sufficient to establish all elements of the crime charged beyond a reasonable doubt." ***Commonwealth v. Rakowski***, 987 A.2d 1215, 1217 (Pa. Super. 2010).

In his first issue, Morrell claims the Commonwealth failed to present sufficient evidence to support his two DUI convictions.

To prove DUI – general impairment, under Section 3802(a)(1), the Commonwealth must establish the driver was in actual physical control of the movement of a vehicle "after imbibing a sufficient amount of alcohol such that the individual [was] rendered incapable of safely driving, operating or being in actual physical control of the movement of the vehicle." 75 Pa.C.S.A. § 3802(a)(1). Factors a court may consider in determining whether a person is incapable of safe driving include:

> the offender's actions and behavior, including manner of driving and ability to pass field sobriety tests; demeanor, including toward the investigating officer; physical appearance, particularly bloodshot eyes and other physical signs of intoxication; odor of alcohol, and slurred speech. Blood alcohol level may be added to this list, although it is not necessary . . . .

Commonwealth v. Eichler, 133 A.3d 775, 790 (Pa. Super. 2016).

To prove DUI – high rate of alcohol, under Section 3802(b), "the Commonwealth must prove: (1) [the a]ppellant was driving, operating, or in actual physical control of the movement of a vehicle, and (2) [the a]ppellant's BAC was . . . at least 0.10% but less than 0.16% within two hours of driving, operating, or being in control of the vehicle." ***Commonwealth v. Haight***, 50 A.3d 137, 141 (Pa. Super. 2012).

Morrell asserts the Commonwealth "did not present sufficient evidence to convict [him] of violating [S]ections 3802(a)(1) and 3802(b) because they did not present evidence [he] imbibed alcohol prior to driving, operating or being in actual physical control of the movement of a vehicle." Morrell's Brief at 13. Morrell concedes the Commonwealth established his BAC was 0.138% within two hours of the accident. ***See id***. at 14. However, Morrell claims "[t]he evidence established that [Morrell] was involved in a vehicle accident and consumed alcohol ***after*** the accident occurred." ***Id***. at 16 (emphasis added).

The trial court considered Morrell's claim and concluded it merits no relief. The trial court determined there was sufficient evidence, including the blood draw results, Corporal Baker's testimony that Morrell had an overwhelming odor of alcohol, bloodshot eyes, and disheveled appearance, and Schreiber's testimony that Morrell acted in a way suggesting he was intoxicated after the accident. ***See*** Trial Court Opinion, 2/6/26, at 10-11. Further, the trial court explained it was free to disbelieve Morrell's testimony that he began drinking after the accident. ***See id***. at 11.

After careful review, we conclude sufficient evidence supported Morrell's DUI convictions. The totality of the evidence, including Morrell's manner of driving—including causing an accident on a wide, straight road on a clear day—demeanor towards Schreiber (which occurred just after the accident) who described Morrell as appearing intoxicated and who observed cans in the ATV, and his subsequent bloodshot eyes, odor of alcohol, and slurred speech were sufficient to convict him under Section 3802(a)(1). ***See Eichler***, 133 A.3d at 790. Morrell does not contest that the Commonwealth proved his BAC was 0.138% within two hours of the accident, as required to convict under Section 3802(b). ***See Haight***, 50 A.3d at 141. As it noted, the trial court was free to disbelieve Morrell's claim that his alcohol consumption occurred after the accident. We are similarly unpersuaded by Morrell's explanation. Therefore, Morrell's first claim is without merit.

In his second issue, Morrell asserts the Commonwealth failed to present sufficient evidence that he was the owner of the ATV. Pursuant to 75 Pa.C.S.A. § 1786(f), "[a]ny owner of a motor vehicle for which the existence of financial responsibility is a requirement for its legal operation shall not operate the motor vehicle or permit it to be operated upon a highway of this Commonwealth without the financial responsibility required . . . ." 75 Pa.C.S.A. § 1786(f).

Morrell, while conceding the fact that he was operating the vehicle at the time of the accident and his wife drove the vehicle back to their residence, asserts there was no evidence he owned the ATV. ***See id***. at 17-18.

The trial court considered Morrell's claim and concluded it merits no relief. The trial court explained:

> [T]he Commonwealth established that [Morrell] operated the ATV. Although the Commonwealth did not present direct evidence of formal ownership, all evidence supports a conclusion beyond a reasonable doubt that [Morrell] was the owner of the ATV. No other individual claimed ownership, nor did [Morrell] identify another owner. Significantly, [Morrell's] wife arrived shortly after the collision and drove the ATV directly to [Morrell's] nearby residence approximately 10 minutes after the collision, which further supports the inference that the ATV belonged to [Morrell]. [Morrell] then walked alongside the ATV to his residence, consistent with ongoing control and ownership of the vehicle. [Morrell's] failure to identify another owner permits a reasonable inference that [Morrell] was both the owner and operator of the ATV. As factfinder, [the trial court] is free to draw this inference from the sufficiency of the evidence.

Trial Court Opinion, 2/6/26, at 13-14 (record and case citations omitted).

Viewing the evidence in the light most favorable to the Commonwealth as the verdict winner, we conclude there was sufficient evidence to prove Morrell's ownership of the vehicle. It was reasonable for the trial court, as finder of fact, to infer that Morrell was the owner of the vehicle based on the evidence that he was driving the car at the time of the accident, his wife drove the car back to their residence after the accident with Morrell accompanying her on foot, and no other owner was identified. ***See Rakowski***, 987 A.2d at 1217. Therefore, his second claim is without merit.

We address Morrell's third and fourth issues, related to his driving and effect of the accident, together. In his third issue, Morrell argues there was insufficient evidence to convict him of careless driving. In his fourth issue,

Morrell asserts there was insufficient evidence to convict him of unsafe operation.

To establish careless driving, the Commonwealth must prove the defendant drove a vehicle "in careless disregard for the safety of persons or property[.]" 75 Pa.C.S.A. § 3714(a); ***see also, e.g.***, ***Commonwealth v. Ford***, 141 A.3d 547, 556 (Pa. Super. 2016). "Careless disregard" has been interpreted to require "less than willful or wanton conduct but more than ordinary negligence or the mere absence of care under the circumstances." ***Id***. (citing ***Commonwealth v. Gezovich***, 7 A.3d 300, 301 (Pa. Super. 2010)). Evidence of speeding, failure to adhere to traffic rules, or other unsafe driving behaviors can sustain a finding of careless driving. ***See Ford***, 141 A.3d at 556.

To prove unsafe operation, the Commonwealth must show that a person operated a snowmobile or ATV "[i]n any careless way so as to endanger the person or property of another." 75 Pa.C.S.A. § 7726(a)(2).

Regarding careless driving, Morrell asserts there was no evidence he drove in careless disregard for the safety of persons or property. ***See*** Morrell's Brief at 19. He also contests the *mens rea* element. ***See id***. at 18. Morrell explains he was attempting to make a left-hand turn. ***See id***. at 19. Morrell states that if the victim had not been attempting to pass him on the left, there would not have been an accident. ***See id***. at 20. He asserts his attempt to turn left without checking whether anybody was passing him on the left was not negligent or careless. ***See id***. at 19-20.

Similarly, Morrell asserts there was no evidence he drove his ATV in a careless way so as to endanger the person or property of another. ***See*** Morrell's Brief at 20. He assigns the blame to the victim, stating that "[m]aking a left-hand turn while another vehicle is attempting to pass you is not careless" and "had []Schreiber not attempted to pass [him,] this accident would not have occurred." ***Id***. at 20.

The trial court considered Morrell's claims and concluded they merit no relief. The trial court explained:

> Corporal Baker credibly testified that [Morrell] admitted to operating the ATV at the time of the crash. Corporal Baker further testified that the collision occurred on a clear, "pleasant" July day with no inclement weather[,] and that it was still "significant[ly] light out" at the time of the crash. Both Corporal Baker and [Schreiber] testified that the roadway was largely straight and unobstructed. In fact, Corporal Baker testified that upon arriving at the scene, he was initially confused as to how the crash happened, stating, "it's a fairly straight road . . . how did you . . . crash?"
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> Additionally, Corporal Baker testified that the road, which contained no painted lane or line markings, was sufficiently wide enough to allow two vehicles to pass safely. This testimony was corroborated by Commonwealth Exhibit 1, a photograph of the roadway.
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> The evidence established that the collision occurred when [Morrell] struck the rear of [Schreiber's] vehicle while [Morrell] was attempting to turn onto a side road. [Morrell] admitted that he did not use a turn signal or hand signal to indicate his intention to turn. Under these circumstances viewed together - clear weather, daylight, a straight and sufficiently wide enough roadway, and [Morrell's] failure to signal – [the trial court] determined that [Morrell] failed to operate his vehicle in a manner consistent with and with regard for the safety of others.

> But for [Morrell's] careless operation of the ATV, the collision would not have occurred. The evidence sufficiently supports the conclusion that [Morrell] drove in a careless disregard for the safety of persons or property.

Trial Court Opinion, 2/6/26, at 15-16 (record citations omitted). The trial court referenced this analysis in determining that Morrell's careless driving endangered Schreiber. ***See id***. at 16.

Viewing the evidence, as our standard of review requires, in the light most favorable to the Commonwealth as the verdict winner, we conclude sufficient evidence supports Morrell's conviction of careless driving and unsafe operation. It is uncontested that Morrell was driving the ATV. Morrell attempted to turn left from the right side of a road wide enough to allow two vehicles to pass safely. ***See id***. at 15. Morrell turned without using a turn signal or otherwise showing his intent to turn, and struck the back of the victim's vehicle. ***See id***. at 16. This evidence of these unsafe driving behaviors alone could sustain a finding of careless driving. ***See Ford***, 141 A.3d at 556. However, additionally, Schreiber testified that Morrell seemed intoxicated, and he saw empty cans on the floor of Morrell's vehicle, ***see*** N.T., 8/27/25, at 8-10, and Corporal Baker testified that he suspected Morrell had been driving under the influence. ***See id***. at 45-46, 57. Morrell also indicated to the victim that he did not want to involve the police and later used an IV bag immediately following the crash. ***See id***. at 10, 41. This evidence was sufficient to establish both careless driving and DUI, of which the trial court found Morrell guilty. ***See***, ***e.g.***, ***Commonwealth v. Dipanfilo***, 993 A.2d 1262, 1268 (Pa. Super. 2010) (finding evidence sufficient to establish the

defendant was incapable of safe driving where an officer's experience, training, and observations established he was under the influence). ***Cf. Commonwealth v. Griffin***, 354 A.3d 546, 550 (Pa. Super. 2026) (explaining DUI cannot form the basis of a careless driving charge where a defendant is acquitted of DUI).

Morrell's speculative argument that the accident would not have occurred had the victim not attempted to pass him not only asks us to substitute our findings of fact for that of the trial court, which we cannot do, ***see Reed***, 216 A.3d at 1119, but ignores the evidence presented at trial. The trial court, as the finder of fact, could reasonably infer that Morrell drove carelessly after drinking alcohol, causing him to crash into the victim's car. Moreover, Morrell's operation of the ATV in a careless way endangered Schreiber. Morrell, who turned left while Schreiber was passing him, caused Schreiber's car to, among other things, spin out, slide into an embankment on the side of the road, and strike a utility pole. ***See id***. at 7, 18-19. Therefore, there was sufficient evidence that Morrell's careless driving endangered Schreiber. Morrell's third and fourth claims are without merit.

In his fifth and final claim, Morrell asserts the evidence was insufficient to establish he did not carry a valid registration certificate.

75 Pa.C.S.A. § 7711(a)(1) states, in relevant part, that "it is unlawful for a person to operate or for an owner to permit another person to operate a snowmobile or an ATV unless . . . [t]here is carried on the snowmobile or ATV a valid registration certificate . . . ." 75 Pa.C.S.A. § 7711(a)(1).

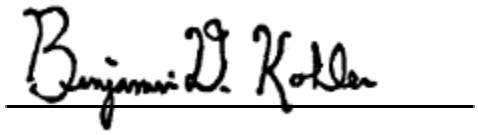
Morrell asserts there was no evidence he did not carry a registration certificate. He argues Corporal Baker did not testify whether he asked Morrell for his registration certificate or whether he inspected the ATV to locate the registration. ***See id***. at 22.

The trial court considered Morrell's claim and concluded it merits no relief. Specifically, the trial court pointed to Corporal Baker's testimony that Morrell "failed to provide any registration certificate or documentation for the ATV and that the ATV did not display a registration plate, decal, or expiration sticker at the time of the investigation." Trial Court Opinion, 2/6/26, at 17. The trial court found this, coupled with Morrell's inability to produce the ATV registration, was sufficient to establish a violation of Section 7711(a)(1). ***See id***. at 17-18.

After careful review, we determine Morrell has failed to show there was insufficient evidence to support his conviction for failing to carry a registration certificate for the ATV. As the trial court noted, Corporal Baker testified Morrell failed to provide any registration certificate or documentation for the ATV. Morrell, as the driver of the vehicle, had an affirmative duty to provide registration. ***See*** 75 Pa.C.S.A. § 7728(a). Morrell has failed to persuade us that this burden should shift to Corporal Baker, or that Corporal Baker's testimony was otherwise insufficient to show that the ATV carried no registration certificate. Therefore, Morrell's fifth claim is without merit.

Judgment of sentence affirmed.

Judgment Entered.



Benjamin D. Kohler, Esq.
Prothonotary

Date: 11/19/2026