NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF PENNSYLVANIA
v.	:	
JOSEPH RANDALL PARKER	:	
Appellant	:	No. 1496 WDA 2025

Appeal from the Judgment of Sentence Entered November 20, 2025
In the Court of Common Pleas of Butler County Criminal Division at
No(s): CP-10-CR-0000567-2023

BEFORE: KING, J., NEUMAN, J., and BENDER, P.J.E.

MEMORANDUM BY NEUMAN, J.: **FILED: November 9, 2026**

Appellant, Joseph Randall Parker, appeals *pro se* from the aggregate judgment of sentence of 5 to 10 years' incarceration, followed by 12 months' probation, imposed after he was convicted of various offenses, including 17 counts of possession of a firearm by a person prohibited (18 Pa.C.S. § 6105(a)(1)).[1] After careful review, we affirm.

We need not delve into the facts underlying Appellant's convictions to dispose of the issues he raises on appeal. We only note that, following a jury trial in November of 2025, Appellant was convicted of the above-stated

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[1] The record indicates Appellant was initially appointed counsel, but filed a petition to represent himself. The court conducted a hearing pursuant to ***Commonwealth v. Grazier***, 713 A.2d 81 (Pa. 1998), after which it permitted Appellant to proceed *pro se*, but appointed stand-by counsel. Thus, Appellant represented himself at trial. The court conducted another ***Grazier*** hearing after Appellant filed the instant appeal, and again confirmed he has validly waived his right to counsel herein.

firearm offenses, as well as simple assault (18 Pa.C.S. § 2701(a)(1)), terroristic threats (18 Pa.C.S. § 2701(a)(1)), unlawful body armor (18 Pa.C.S. § 907(c)), and recklessly endangering another person (18 Pa.C.S. § 2705). On November 20, 2025, the court sentenced him to the aggregate term set forth *supra*. Appellant did not file a post-sentence motion.

On November 21, 2025, Appellant filed a timely, *pro se* notice of appeal. On December 3, 2025, the trial court ordered him to file a Pa.R.A.P. 1925(b) concise statement of errors complained of on appeal. "On December 12, 2025, Appellant filed a [*pro se*] document entitled[,] 'Direct Appeal/Post Trial Motion,' requesting to 'vacate the conviction and set aside the judgement [*sic*],' 'or in the alternative grant a new trial.'" Trial Court Opinion (TCO), 1/14/26, at unnumbered 1. The trial court thereafter filed an opinion on January 14, 2026. Although the court recognized Appellant listed a "Statement of Questions" section in his *pro se* "Direct Appeal/Post Trial Motion" document, the court concluded, "[t]o the extent that Appellant intends for said document to serve as the concise statement of matters complained of on appeal, the issues are not raised in accordance with [Rule] 1925 and should be deemed waived." ***Id.*** at unnumbered 2 (unnecessary capitalization omitted).

We disagree. We recognize Appellant's *pro se* document included unnecessary facts and argument in violation of Rule 1925(b). ***See*** Appellant's "Direct Appeal/Post Trial Motion," 12/12/25, at unnumbered 1-3, 4-10. ***See also*** Pa.R.A.P. 1925(b)(4)(i) ("The Statement shall set forth only those errors

that the appellant intends to assert."); Pa.R.A.P. 1925(b)(4)(iv) ("The Statement should not be redundant or provide lengthy explanations as to any error."). However, Appellant clearly delineated a "Statement of Questions" section, and the issues he raised therein were obviously allegations of errors committed at trial. ***See*** Appellant's "Direct Appeal/Post Trial Motion" at unnumbered 3-4. Thus, identifying the issues Appellant sought to raise in his *pro se* filing does not require us to act as Appellant's counsel "or find more in [his] written *pro se* submission than is fairly conveyed in the pleading." ***Commonwealth v. Blakeney***, 108 A.3d 739, 766 (Pa. 2014) ("Although the courts may liberally construe materials filed by a *pro se* litigant, *pro se* status confers no special benefit upon a litigant, and a court cannot be expected to become a litigant's counsel or find more in a written *pro se* submission than is fairly conveyed in the pleading."). Instead, we will ignore Appellant's extraneous discussion and liberally construe his timely, *pro se* filing as a Rule 1925(b) statement, which preserved the issues he raises herein. ***Id.***[2]

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[2] We mention the trial court did not attempt to address in its opinion the issues Appellant set forth in the "Statement of Questions" section of his *pro se* filing, not only because it deemed them waived under Rule 1925(b), but also because Appellant failed "to request the trial transcript and ensure a complete record." TCO at unnumbered 2. The court noted it was Appellant's burden under Pa.R.A.P. 1911(a) to "request any transcript required" and "make any necessary payment" for such documents. ***Id.*** (quoting ***Commonwealth v. Lesko***, 15 A.3d 345, 410 (Pa. 2011) (quoting Pa.R.A.P. 1911(a))). The transcript of Appellant's November 10, 2025 trial was not filed until March of 2026. Although the court stated it would supplement its opinion "[i]f Appellant provides the full record on appeal," to date, the court has not done so. ***Id.*** Notwithstanding, we are able to meaningfully review Appellant's issues and, thus, we decline to remand for a supplemental opinion by the trial court.

Herein, Appellant states three issues for our review:

> 1. Was the jurors [*sic*] mislead [*sic*] about the nature of the statute 18 Pa.C.S.[] § 6105(a)(1) and what it prohibits and does the Butler County District Attorneys [*sic*] Office hold the authority to redefine or alter the statute?
> 2. Was … [A]ppellant charged and found guilty of prohibited possession of firearms for owning objects that are not legally firearms?
> 3. Was the verdict against the evidence in regard[] to the alleged victim?

Appellant's Brief at 4-5 (unnecessary capitalization omitted).

In Appellant's first issue, he contends the jury "was mislead [*sic*] about the nature of … 18 Pa.C.S. § 6105(a)(1)" because "[t]hey were instructed that it was persons not to ***own***, possess[,] or control a firearm[,]" but the statute does not include the word "own." Appellant's Brief at 18 (unnecessary capitalization omitted; emphasis added). Instead, the statute reads, in pertinent part:

> A person who has been convicted of an offense enumerated in subsection (b), within or without this Commonwealth, regardless of the length of sentence or whose conduct meets the criteria in subsection (c) shall not ***possess, use, control, sell, transfer[,] or manufacture*** or obtain a license to possess, use, control, sell, transfer[,] or manufacture a firearm in this Commonwealth.

18 Pa.C.S. § 6105(a)(1) (emphasis added). Appellant argues the term "own" should not have been "arbitrarily added to [the] statute to fit the narrative that a[] District Attorney wants to pursue." Appellant's Brief at 19. Essentially, he seemingly concludes the terms "possess, use, control, sell, transfer[,] or manufacture" do not encompass ownership of a firearm and,

therefore, the jury was misinformed it could convict him under section 6105(a)(1) based on his ownership of a gun.

Initially, Appellant does not cite to where in the record the jury was instructed that section 6105(a)(1) can be met by ownership of a firearm.[3] However, our review of the jury instructions reveals the court defined the section 6105 offense for the jury, as follows:

> [The Court:] Now, Counts 6 through 22, persons not to ***own***, possess or control a firearm. To find the defendant guilty of this offense, you must find the following elements have been proven beyond a reasonable doubt. First, that the defendant was a person prohibited by law from possessing, using, controlling, selling, transferring[,] or manufacturing a firearm. It is stipulated that the defendant became such a person on November 24th, 2015. Second, that the defendant on a date more than 60 days from the time he became a person prohibited from possessing, using, controlling, selling, transferring[,] or manufacturing a firearm, … knowingly ***owned***, possessed, or controlled a firearm. … For a person to possess a firearm, he must have had the intent to control and the power to control the firearm.

N.T. Trial, 11/10/25, at 201-02 (emphasis added). Thus, Appellant is correct the court instructed the jury that his ownership of a firearm, more than 60 days after he became a person prohibited from doing so, would meet the elements of section 6105(a)(1).

However, Appellant did not object to the court's instruction at the time it was given, ***see id.***, or at the conclusion of the charge, ***see id.*** at 211. Thus,

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[3] Appellant cites to portions of his reproduced record, which contains copies of documents from the certified record (such as the criminal information) that use the term "own" when referring to the charges under section 6105. ***See*** Appellant's Brief at 18. However, Appellant does not specifically cite to where in the transcript of the court's jury instruction this word was erroneously used.

any challenge to the jury instruction is waived on appeal. ***See*** Pa.R.A.P. 302(a) ("Issues not raised in the lower court are waived and cannot be raised for the first time on appeal."); ***Commonwealth v. Moury***, 992 A.2d 162, 178 (Pa. Super. 2010) ("A specific and timely objection must be made to preserve a challenge to a particular jury instruction. Failure to do so results in waiver.") (internal citations omitted).[4]

In any event, even if not waived, we would discern no abuse of discretion in the court's instruction to the jury. ***See Commonwealth v. Jones***, 954 A.2d 495, 507 (Pa. Super. 2008) ("A trial court has wide discretion in phrasing its jury instructions, and can choose its own words as long as the law is clearly, adequately, and accurately presented to the jury for its consideration. The trial court commits an abuse of discretion only when there is an inaccurate statement of the law."). Although the statute does not explicitly state the word "own," it is apparent that ownership of a firearm by a person prohibited is encompassed within the statutory language. Notably, the Commonwealth points out "[t]he statute goes on to say a person who becomes ineligible under the statute has up to 60 days to '***sell or transfer***

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[4] We would also deem Appellant's issue waived because he cites no legal authority to support his cursory argument. ***See*** Appellant's Brief at 18-19; ***Commonwealth v. Hardy***, 918 A.2d 766, 771 (Pa. Super. 2007) ("When briefing the various issues that have been preserved, it is an appellant's duty to present arguments that are sufficiently developed for our review. The brief must support the claims with pertinent discussion, with references to the record and with citations to legal authorities. … [W]hen defects in a brief impede our ability to conduct meaningful appellate review, we may dismiss the appeal entirely or find certain issues to be waived.").

that person's firearms to another eligible person….'" Commonwealth's Brief at 2 (quoting 18 Pa.C.S. § 6105(a)(2)(i)) (emphasis added). As the Commonwealth argues, "[t]his language in the statute itself would make it illegal to own a firearm after the 60-day period[,] since one would have to own the firearm to sell or transfer it to another as the statute requires." ***Id.*** Accordingly, because the statutory language encompasses ownership, we would discern no abuse of discretion in the court's phrasing of the jury instruction, even had Appellant preserved this claim for our review.

Appellant next argues the "objects" he owned were "not firearms" as defined by the statute. Section 6105 states: "As used in this section only, the term 'firearm' shall include any weapons which are designed to or may readily be converted to expel any projectile by the action of an explosive or the frame or receiver of any such weapon." 18 Pa.C.S. § 6105(i) (emphasis omitted). Here, Appellant contends the "objects" he possessed "are called Eighty Percent Receivers and [were] … not finished receivers…." Appellant's Brief at 20. Accordingly, he insists they "do not qualify as a receiver" under the statute. ***Id.***

Appellant's argument implicates the sufficiency of the evidence to sustain his firearm convictions.

> Whether the evidence was sufficient to sustain the charge presents a question of law. Our standard of review is *de novo*, and our scope of review is plenary. In conducting our inquiry, we examine[,]
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> > whether the evidence at trial, and all reasonable inferences derived therefrom, when viewed in the light most favorable

> to the Commonwealth as verdict-winner, [are] sufficient to establish all elements of the offense beyond a reasonable doubt. We may not weigh the evidence or substitute our judgment for that of the fact-finder. Additionally, the evidence at trial need not preclude every possibility of innocence, and the fact-finder is free to resolve any doubts regarding a defendant's guilt 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. When evaluating the credibility and weight of the evidence, the fact-finder is free to believe all, part[,] or none of the evidence. For purposes of our review under these principles, we must review the entire record and consider all of the evidence introduced.

Commonwealth v. Rojas-Rolon, 256 A.3d 432, 436 (Pa. Super. 2021) (cleaned up).

Here, at Appellant's trial, Pennsylvania State Police Trooper Francis Walters testified he was present during the execution of a search warrant at a camper lived in by Appellant. N.T. Trial at 104. Trooper Walters testified they found numerous firearms in the camper, including multiple rifles and pistols. ***See id.*** at 107-08, 115-17. The trooper also testified they found "Polymer80 receivers[,]" ***id.*** at 109, which are presumably what Appellant refers to as 'Eighty Percent Receivers.' Trooper Walters and the Commonwealth then had the following exchange:

> [The Commonwealth:] And, Trooper, we'll stop there for a minute. What is a Polymer80?
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> [Trooper Walters:] Polymer80 is essentially a website that you can go on and purchase these, they do not have serial numbers and they come with directions to drill them to make them an operational weapon.
>
> [The Commonwealth:] Can anyone purchase that?
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> [Trooper Walters:] Yes.

> [The Commonwealth:] And what would the end user then do to turn that into a functioning weapon?
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> [Trooper Walters:] So, again, it comes with directions on how to essentially drill it out to make it a useable weapon and then the end user is supposed to get it serial numbered through the ATF.

Id. at 109-10. The trooper later testified they found several other pistols and rifles made from Polymer80 kits. ***Id.*** at 115-16.

This testimony was sufficient to support Appellant's section 6105 convictions. This Court has stated that under section 6105, "an individual is subject to criminal prosecution if he unlawfully possesses: (1) any weapon that is specifically designed to or may readily be converted to expel a projectile by means of an explosive; ***or (2) the frame or receiver of such a weapon***." ***Commonwealth v. Thomas***, 988 A.2d 669, 671-72 (Pa. Super. 2009) (citing 18 Pa.C.S. § 6105(i)) (emphasis added). Here, Trooper Walters' testimony demonstrated Appellant possessed receivers of a weapon that was designed to expel a projectile by means of an explosion. To the extent Appellant suggests the receivers were not firearms because they could not expel a projectile at the time they were seized, this argument fails. The ***Thomas*** Court expressly declared

> [t]he statutory language is clear, and it ***does not require proof that the weapon was capable of expelling a projectile when it was seized***; on the contrary, the fact that a person can be prosecuted simply for possessing a semiautomatic pistol frame refutes this notion because the frame requires additional parts, *e.g.*, a slide and barrel, in order to fire a bullet. Thus, the use of the terms "frame" and "receiver" in section 6105(i) demonstrates that the legislature sought to eliminate [an] operability requirement….

Id. at 672. Thus, the fact Appellant possessed firearm receivers was sufficient to sustain his conviction under 6105, even though they were not operable. His sufficiency claim fails.

Lastly, Appellant argues the evidence failed to support his terroristic threats and simple assault convictions because the victim was incredible for various reasons. ***See*** Appellant's Brief at 20-21 (claiming the "victim is a mentally unstable woman" who "reinvent[ed] a completely new story that defies reason and reality" each time she spoke about the incident); ***id.*** at 21 (arguing the victim's statement to police was unbelievable because the police did not find evidence corroborating it); ***id.*** at 22 (averring the photographs of the victim did not show any injuries).

No relief is due. It is well-settled that attacks on credibility determinations are challenges to the weight of the evidence, not its sufficiency. ***See Commonwealth v. Gaskins***, 692 A.2d 224, 227 (Pa. Super. 1997). To properly preserve a challenge to the weight of the evidence, it must be raised before the trial court. ***See*** Pa.R.Crim.P. 607(A) (stating a claim the verdict was against weight of evidence must be raised before trial court orally or in a written motion prior to sentencing, or in a post-sentence motion); ***Commonwealth v. Griffin***, 65 A.3d 932, 938 (Pa. Super. 2013) (finding a weight-of-the-evidence claim waived where the appellant failed to raise it in a pre-sentence motion, did not address the issue orally prior to sentencing, and did not raise it in a post-sentence motion). Instantly, Appellant did not file a post-sentence motion raising this issue, and he fails to point to where in

the record he preserved this claim prior to sentencing. ***See*** Pa.R.A.P. 2119(e) (directing the appellant must set forth in the argument portion of his brief where in the record he preserved the issue before the trial court). Accordingly, he has waived his challenge to the weight of the evidence. ***Griffin***, ***supra***.

Judgment of sentence affirmed.

Judgment Entered.

Benjamin D. Kohler

Benjamin D. Kohler, Esq.
Prothonotary

DATE: 11/09/2026