

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
BRONK D. GLENN, JR.	:	
	:	
Appellant	:	No. 837 EDA 2026

Appeal from the Order Entered February 5, 2026
In the Court of Common Pleas of Montgomery County Criminal Division
at No(s): CP-46-SA-0000633-2025

BEFORE: LAZARUS, P.J., PANELLA, P.J.E., and STEVENS, P.J.E.*

OPINION BY STEVENS, P.J.E.:

FILED OCTOBER 28, 2026

Appellant, Bronk D. Glenn, Jr., appeals *pro se* from the order entered February 5, 2026, in the Court of Common Pleas of Montgomery County. After review, we affirm.

The relevant facts and procedural history are as follows: Appellant was stopped by Upper Pottsgrove Township Police on May 20, 2025, and received a citation for Off-Road Lighting, a summary offense, under 75 Pa.C.S.A. § 4303. Tr. Ct. Op. at 1-2. Magistrate Judge Maurice H. Saylor entered a guilty verdict on August 25, 2025. Appellant filed a summary appeal on September 25, 2025. The docket reflects that the summary appeal hearing was scheduled on November 6, 2025 for December 4, 2025.¹ Prior to Appellant's summary

* Former Justice specially assigned to the Superior Court.

¹ Appellant admits to having monitored the docket. **See** Motion to Vacate, 1/7/26, ¶ 2.

appeal hearing, Appellant filed two *pro se* motions, each filed November 21, 2025. The first was a motion to dismiss challenging the jurisdiction of the police officer who stopped him, and the second was a motion for discovery. **See** Motion to Challenge Territorial Jurisdiction and to Dismiss Citation for Lack of Lawful Authority, 11/21/25;² Motion for Discovery, 11/21/25.

On December 4, 2025, the scheduled date of the summary appeal hearing, the matter was reassigned to Judge Margherita P. Worthington. Appellant failed to appear for the hearing and Judge Worthington issued an order dismissing Appellant's summary appeal for his failure to appear. **See** Order, 12/4/25. Judgment was entered "on the judgment of issuing authority," and a sentencing order was issued. **See** Sentencing Order, 12/4/25. These were each placed on the docket on the same day, December 4, 2025.³

On January 7, 2026, Appellant filed a motion to vacate judgment requesting his summary appeal rights be reinstated *nunc pro tunc*. **See** Motion to Vacate, 1/7/26. Therein, he states that he did not attend the hearing because he did not receive notice that the matter was reassigned to a different

² This motion, which appears in the certified record, was stamped as received by the clerk of courts on November 21, 2025, at 3:28 PM. It does not appear on the docket.

³ The order specifically denying the motion for summary appeal, dated December 4, 2025, was placed on the docket on December 15, 2025. The fact that *this* order was placed on the docket nearly two weeks after it was issued does not extend Appellant's time for filing a motion or an appeal because the order entering judgment and dismissing the appeal was the final, appealable order, which was placed on the docket on December 4, 2025.

judge, and he had prepared for the hearing as if it was being conducted by Judge Carpenter. **Id.** at ¶¶ 3-6. Also on January 7, 2026, the docket shows an entry for “Returned/Unclaimed Mail.” The trial court notes that this piece of mail was an invoice for fines and costs, not a hearing notice. Tr. Ct. Op. at 2.

On January 16, 2026, a hearing notice was sent to Appellant at his address of record for a new hearing scheduled for February 5, 2026. Appellant failed to appear again, and as such, on February 5, 2026, Judge Worthington entered an order denying Appellant’s motion to vacate. On February 25, 2026, Appellant filed a motion to vacate the judgment which requested clarification regarding service for the hearing notice and inquired about the judicial reassignment.

On March 4, 2026, Judge Worthington entered an order denying Appellant’s *pro se* motion to vacate, stating that Appellant had notice of that hearing. The hearing notice was attached to the order. **See** Order, dated 2/25/26, at 2.

Appellant filed a notice of appeal from the court’s February 5, 2026, order denying Appellant’s earlier motion to vacate. To be clear, this was not a notice to appeal from the March 4, 2026, order. Although this notice of appeal was not docketed until March 12, 2026, it was post marked on February 26, 2026. On March 23, 2026, the court issued an order directing Appellant to file a statement pursuant to Pa.R.A.P. 1925(b). Appellant complied on April 10, 2026, raising eight issues.

On June 1, 2026, this Court issued an order directing Appellant to show cause why the appeal should not be quashed as untimely filed from the December 4, 2025, judgment of sentence. On June 11, 2026, June 12, 2026, and July 2, 2026, Appellant and the Commonwealth filed responses to the show cause order. This appeal follows.

Appellant raises these issues for our review, verbatim:

8. Did the trial court err or abuse its discretion by refusing to vacate the failure-to-appear dismissal where Appellant asserted lack of proper notice and the record reflected unresolved service irregularities?

9. Did the trial court err in concluding that notice was sufficient where the docket reflected returned or unclaimed mail, Appellant later received delayed or yellow tagged mail, and the trial court's own mailing history reflected address inconsistency?

10. Did the same-day judicial reassignment, unresolved hearing notice questions, and failure to respond to Appellant's certified clarification request contribute to procedural uncertainty requiring reinstatement or remand?

11. Did the trial court's Rule 1925(a) opinion fail to resolve the record conflict concerning Appellant's Motion to Challenge Jurisdiction where the opinion states that the motion appears on the docket, but Appellant's March 31, 2026 printed UJS docket did not display it?

Appellant's Br. at 3-4.

Our standard of review from an appeal of a summary conviction heard *de novo* by the trial court is limited to a determination of whether an error of law has been committed and whether the findings of fact are supported by competent evidence. ***Commonwealth v. Lutes***, 793 A.2d 949 (Pa. Super.

2002). “The adjudication of the trial court will not be disturbed on appeal absent a manifest abuse of discretion.” ***Commonwealth v. Parks***, 768 A. 2d 1168, 1171 (Pa. Super. 2001).

Initially, we note that the appeal from the February 5, 2026, order was timely filed because although his notice of appeal was not docketed until March 12, 2026, it was postmarked February 26, 2026, which was twenty-one days after the order was entered. **See** Pa. R.A.P. 903(a) (requiring notice of the appeal to be filed within 30 days of the entry of the final order). However, this case raises jurisdictional issues regarding the authority of the trial court to have entered orders thirty days beyond the entry of judgment, as well as the trial court’s actions in responding to Appellant’s motions following the entry of judgment.

We begin our discussion with Rule 462 which permits dismissal of an appeal when a defendant fails to appear. That rule, in pertinent part, provides as follows:

Rule 462. Trial *De Novo*

(A) When a defendant appeals after the entry of a guilty plea or a conviction by an issuing authority in any summary proceeding, upon the filing of the transcript and other papers by the issuing authority, the case shall be heard *de novo* by the judge of the court of common pleas sitting without a jury.

* * *

(D) If the defendant fails to appear, the trial judge may dismiss the appeal and enter judgment in the court of common pleas on the judgment of the issuing authority.

Pa.R.Crim.P. 462.

Additionally, Rule 720 relevantly states:

Summary Case Appeals. There shall be no post-sentence motion in summary case appeals following a trial *de novo* in the court of common pleas. The imposition of sentence immediately following a determination of guilt at the conclusion of the trial *de novo* shall constitute a final order for purposes of appeal.

Pa.R.Crim.P. 720(D).

Guided by the preceding rules, we determine that Judge Worthington's December 4, 2025, order entering judgment on the judgment of the issuing authority was a final, appealable order, and that Appellant failed to file a notice of appeal from this order.

Nonetheless, despite Rule 720(D)'s proscription on post-sentence motions in summary cases, we observe that the comment to Rule 462 explains that a trial judge may dismiss a summary appeal only when the judge determines that the defendant is absent without cause from the trial *de novo*. Pa.R.Crim.P. 462 cmt. This Court has determined that a defendant must be provided the opportunity to establish cause for his failure to appear, and that the trial court must make inquiry into the reason for a defendant's failure to appear. ***Commonwealth v. Marizzaldi***, 814 A.2d 249, 251 (Pa. Super. 2002). This has procedurally been achieved through a motion for a new trial or a motion for reconsideration followed by additional proceedings. ***See id.***; ***Commonwealth v. Doleno***, 594 A.2d 341 (Pa. Super. 1991); Pa.R.Crim.P. 720(D) cmt.

Post-sentence motions generally must be filed within ten days after the imposition of sentence in order to be timely. **See** Pa.R.Crim.P. 720(A)(1). Motions for reconsideration generally must be filed within thirty days of a decision. **See, e.g., Verholek v. Verholek**, 741 A.2d 792, 798 (Pa. Super. 1999) (explaining that a trial court cannot consider a motion for reconsideration filed after thirty days). Failure to timely file a motion will deprive the court of jurisdiction unless the party establishes his or her entitlement to *nunc pro tunc* relief. **Commonwealth v. Dreves**, 839 A.2d 1122, 1129 (Pa. Super. 2003). “The trial court’s resolution of the merits of the late postsentence motion is no substitute for an order expressly granting *nunc pro tunc* relief.” **Id.**

Here, Appellant filed his motion to vacate seeking *nunc pro tunc* relief on January 7, 2026, thirty-four days following the entry of judgment. This was patently untimely. Thus, the trial court’s jurisdiction had ended. Nonetheless, following Appellant’s January 7, 2026, motion, the trial court scheduled a second hearing which was to be held on February 5, 2026. That is where Appellant would have been provided the opportunity to explain his absence, but Appellant again failed to appear.

However, we are satisfied that Appellant *was* heard on his reason for his absence. His untimely January 7, 2026, motion stated that it was because he was not given notice that his case was reassigned to a different judge, despite the time and place of the hearing not being changed. He does not state that

he did not have notice of the hearing itself, in fact he admits that he had prepared for the hearing. **See** Motion to Vacate, 1/7/26, at ¶¶ 3-6. Instead, he merely complains that the hearing was to be held before a different judge.

Judge Worthington decided that Appellant was not entitled to *nunc pro tunc* relief. **See** Order, dated 2/25/26, at 2. The trial court in its 1925(a) opinion also determined that Appellant's stated reason is of no merit because the reassignment did not change the initial hearing date, nor is the reassignment something of which Appellant was required to receive advance notice. Tr. Ct. Op. at 5. The matter was officially reassigned to Judge Worthington on December 4, 2025, and that is and was immediately reflected on the docket. **Id.** Accordingly, Appellant was absent without cause.

We agree. Appellant's absence cannot be excused by the fact that he had general problems receiving various pieces of mail, nor by the fact that he was not given advance notice of the judicial reassignment of his case. Appellant seems to be under the impression that he has a due process right to notice of the judicial reassignment of his case. He does not, and he can cite no case for this proposition. We also are not persuaded by the arguments in Appellant's brief that he is entitled to relief.

Appellant's arguments in his brief center around his contention that certain mail was not reliably reaching him as he received delayed and yellow-tagged mail during the relevant period. He claims that this deprived him of receiving "meaningful notice." He claims that his assertions are evidenced by

the January 7, 2026, docket entry of returned or unclaimed mail, despite that entry being for an invoice of fines and costs, not a hearing notice. Appellant's Br. at 15-17. However, in his January 7, 2026, filing, he never states that he did not receive timely notice of the December 4, 2025, hearing, or that any of his delayed or yellow-tagged mail was from the court. He never states that he was actually unaware of the December 4, 2025, preceding.

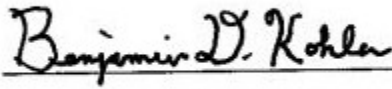
Appellant goes on in his brief to complain about general uncertainty surrounding his mailing address. Appellant's Br. at 18. He asserts that he personally went to court administration to ensure that his address was updated and clarified. ***Id.*** However, this was on April 10, 2026, more than four months after the first missed hearing, and more than two months after the second missed hearing. If he had moved prior to that date, it was his obligation to promptly keep his address information current with the court, as the courts sends mail to the address-of-record of litigants. Appellant argues that the fact that the court's 1925(a) opinion was mailed to both his prior address and his current address shows that the court's handling of address information was "not clear or stable." Appellant's Br. at 18. However, Appellant fails to recognize that this was the court covering all bases and ensuring that Appellant received the filing given his months of complaints regarding the receipt mail to his addresses.

Finally, Appellant argues that his unanswered requests for clarification support reinstatement and remand. To the contrary, these types of motions

are not to be entertained by a court following summary proceedings. **See** Pa.R.Crim.P. 720(D). Accordingly, we agree that Appellant is entitled to no relief. We discern no abuse of discretion, and we will not disturb the court's adjudication on appeal.

Order 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: 10/28/2026