

**[J-60-2025] [MO: Wecht, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
EASTERN DISTRICT**

COMMONWEALTH OF PENNSYLVANIA,	:	No. 48 EAP 2024
	:	
Appellee	:	Appeal from the Order of the
	:	Superior Court at No. 1788 EDA
	:	2022, at 2023 PA Super 255,
v.	:	entered on December 6, 2023,
	:	affirming the Judgment of
	:	Sentence of the Philadelphia
BASILE OUTLAW,	:	County Court of Common Pleas
	:	at No. MC-51-MD-0000031-2022,
Appellant	:	entered on June 21, 2022.
	:	
	:	ARGUED: September 9, 2025

CONCURRING OPINION

JUSTICE MUNDY

DECIDED: October 29, 2026

Outlaw’s conduct was abhorrent. The issue, however, is whether it was punishable under 42 Pa.C.S. § 4132. As aptly observed by the Majority, contemporary precedents set by this Court have seemingly narrowed the scope of conduct punishable under Section 4132(3). *See, e.g., Matter of Campolongo*, 435 A.2d 581, 584 (Pa. 1981) (“For conduct to constitute an obstruction of the administration of justice, it must significantly disrupt judicial proceedings. Mere affront to the trial judge is not enough. Remarks that are injudicious, or even disrespectful or insulting, will not, without more, justify a summary conviction for contempt of court” (internal citations omitted)); *Williams v. Williams*, 721 A.2d 1072, 1074 (Pa. 1988) (finding murmuring made by a litigant, calling a trial judge a “fucking asshole” during child custody proceedings, did not rise to the level of criminal contempt because “the inappropriate remark caused no significant disruption” to the proceedings). Here, we have not been asked to reconsider our holdings in these cases,

and absent such a request, this Court must adhere to these decisions. See *Punxsutawney Hunting Club, Inc. v. Pa. Game Comm’n*, 360 A.3d 828, 844 (Pa. 2026) (“The basic legal principle of *stare decisis* generally commands judicial respect for prior decisions of this Court and the legal rules contained in those decisions” (citation omitted)). Accordingly, I am constrained to concur in the result reached by the Majority today.

I write separately to emphasize my agreement with Chief Justice Emeritus Saylor’s dissent in *Williams*:

While not every intemperate remark will cross the line which separates zealous advocacy from contemptuous conduct, in my view the vulgar and insulting language at issue was appropriately punishable summarily as direct contempt. [Williams’] remarks were not only injudicious and disrespectful—the epithets directed at the Court were an affront to the authority and dignity of the tribunal and thus alone sufficient to constitute interference with the due and orderly administration of justice.

Williams, 721 A.2d at 1075. Like my esteemed former colleague, on a clean slate, I too would have found Williams’ conduct punishable under Section 4132(3).

In fact, I find the use of the word “significant” throughout the majority in *Williams*, amongst other cases, when discussing disruptions that constitute “obstruction of the administration of justice” to be nebulous and subject to disparate interpretations. Merriam-Webster defines “significant” as, *inter alia*, “having meaning[.]” “large enough to be noticed or to have an effect[.]” and “having or likely to have influence or effect.” *Significant*, <https://www.merriam-webster.com/dictionary/significant> (last visited Sept. 8, 2026). Clearly, the trial court found the interruption caused by Outlaw’s vulgar outburst to be “large enough to be noticed[.]” *Id.* While I understand “that trial judges are supposed to be persons of fortitude who are able to thrive in a hardy environment,” see Majority Op. at 10 (internal quotation marks omitted), I find the act of calling a judge a “cocksucker” to be an “affront to the authority and dignity of the tribunal[.]” see *Williams*, 721 A.2d at 1075, which was historically adequate to support a finding of contempt. See, e.g., *Appeal of*

Levine, 95 A.2d 22 (Pa. 1953) (“Generally speaking, one is guilty of contempt when his conduct tends to bring the authority and administration of the law into disrespect.”).

Finally, I am not convinced that “[t]he circumstances of this appeal are analogous to those in *Williams*.” Majority Op. at 8. Unfortunately, the record in this case leaves much to be desired, as Outlaw’s obscene comment was not transcribed and thus, it is unclear whether Outlaw made his remarks during the proceedings or after court had recessed. That said, as contempt findings are necessarily fact-specific, had the record been more robust, I may have been inclined to find that Outlaw’s vulgar outburst was sufficient to justify his conviction under Section 4132(3).

Justices Dougherty and Brobson join this concurring opinion.