

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

COMMONWEALTH OF PENNSYLVANIA,

Appellee

v.

JONATHAN W. WEBBER,

Appellant

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

No. 2028 MDA 2012

Appeal from the Judgment of Sentence Entered October 10, 2012  
In the Court of Common Pleas of Northumberland County  
Criminal Division at No(s): CP-49-SA-0000002-2012

BEFORE: BENDER, P.J., WECHT, J., and FITZGERALD, J.\*

MEMORANDUM BY BENDER, P.J.

**FILED NOVEMBER 27, 2013**

Appellant, Jonathan Webber, appeals from the judgment of sentence of fines imposed following his conviction for violating a municipal ordinance. We dismiss this appeal.

The background underlying this matter can be summarized as follows:

Kulpmont Borough passed an ordinance, Resolution 669, which set forth a requirement for landlords to register with the Borough. The Resolution contained a requirement to submit certain information, including identification information of the tenants, and pay a \$100 registration fee. The Borough sent letters to landlords who failed to pay the registration fee. A letter was sent to Appellant, who lived in New York.

[] Appellant sent the Borough a Xerox copy of a one hundred dollar bill. The Borough then sent [] Appellant a citation and subsequently an additional registration fee of \$100.

---

\* Former Justice specially assigned to the Superior Court.

After [] Appellant refused to pay the citation, another citation was entered against Appellant in the Magistrate's office. Subsequently, [] Appellant incurred another citation in the amount of \$100. A letter was sent to [] Appellant indicating that Appellant was to complete the registration form and submit it, and the corresponding registration fee and citation fees, to the Borough. Appellant completed the registration form but did not pay the registration fee or the citations.

Trial Court Opinion, 6/6/13, at 1 - 2.

Appellant's summary trial was held on March 12, 2012. The trial court rejected Appellant's argument that the ordinance in question was unconstitutional and found the evidence established beyond a reasonable doubt that Appellant had violated the ordinance. On October 10, 2012, Appellant was sentenced to pay the fines assessed for his outstanding citations. Appellant filed a timely notice of appeal, as well as a timely concise statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(b).

We are unable to discern the questions presented for our review, as Appellant's brief does not comply with the requirements of Pa.R.A.P. 2111, which states:

(a) **General Rule** --- The brief of the appellant, except as otherwise prescribed by these rules, shall consist of the following matters, separately and distinctly entitled and in the following order:

- (1) Statement of jurisdiction.
- (2) Order or other determination in question.
- (3) Statement of both the scope of review and the standard of review.
- (4) Statement of the questions involved.

- (5) Statement of the case.
- (6) Summary of argument.
- (7) Statement of the reasons to allow an appeal to challenge the discretionary aspects of a sentence, if applicable.
- (8) Argument for appellant.
- (9) A short conclusion stating the precise relief sought.
- (10) The opinions and pleadings specified in Subdivisions (b) and (c) of this rule.
- (11) In the Superior Court, a copy of the statement of errors complained of on appeal, filed with the trial court pursuant to Rule 1925(b), or an averment that no order requiring a statement of errors complained of on appeal pursuant to Pa.R.A.P. 1925(b) was entered.

(b) **Opinions below.**--There shall be appended to the brief a copy of any opinions delivered by any court or other government unit below relating to the order or other determination under review, if pertinent to the questions involved. If an opinion has been reported, that fact and the appropriate citation shall also be set forth.

Appellant submitted a five-page letter to this Court that contains no citations to precedent, nor does it contain a citation to the ordinance for which Appellant was convicted. As noted by the Commonwealth, Appellant's filing does not contain a Statement of Jurisdiction, Order in Question, Statement of Scope and Standard of Review, Statement of the Questions Involved, Statement of the Case, Summary of the Argument, or Conclusion stating the precise relief sought. The Appellant also did not attach the trial court's 1925(a) opinion to his filing.

We are unable to discern a question presented after careful review of the five-page document filed by Appellant. Appellant repeatedly challenges

the ordinance as “unconstitutional,” but does not note which constitutional provisions the ordinance allegedly violates. Nor does Appellant specify whether the ordinance violates the federal constitution, or the constitution of this Commonwealth.

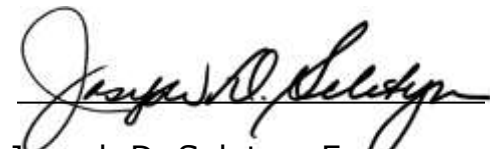
Pa.R.A.P. 2101 states:

Briefs and reproduced records shall conform in all material respects with the requirements of these rules as nearly as the circumstances of the particular case will admit, otherwise they may be suppressed, and, if the defects are in the brief or reproduced record of the appellant and are substantial, the appeal or other matter may be quashed or dismissed.

Under these circumstances, we find Appellant’s brief does not conform with the requirements of the Rules of Appellate Procedure, and these defects are so substantial as to make review impossible. Thus, we exercise our discretion to dismiss this appeal.

Appeal dismissed.

Judgment Entered.

A handwritten signature in black ink, appearing to read "Joseph D. Seletyn", written over a horizontal line.

Joseph D. Seletyn, Esq.  
Prothonotary

Date: 11/27/2013