

[J-120-2012][M.O. – Todd, J.]
IN THE SUPREME COURT OF PENNSYLVANIA
MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA,	:	No. 14 MAP 2012
	:	
Appellee	:	Appeal from the Order of the Superior
	:	Court at No. 255 MDA 2010 dated
	:	4/5/11 affirming the judgment of
v.	:	sentence of the Dauphin County Court
	:	of Common Pleas, Criminal Division, at
	:	No. CP-22-CR-540-2009 dated 1-11-10
	:	
FRANCIS PATRICK LAGENELLA, JR.,	:	
	:	
Appellant	:	ARGUED: October 16, 2012

CONCURRING OPINION

MR. JUSTICE SAYLOR

DECIDED: December 27, 2013

I agree with the majority’s conclusion that an inventory search was not warranted on the particular facts of this case, as well as with its rejection of the bright-line rule, proposed by the Commonwealth, that all vehicle immobilizations justify constitutionally valid inventory searches. To the extent the majority opinion reflects a bright-line rule to the converse (i.e., that no inventory searches conducted in connection with immobilizations may be valid), however, I remain circumspect and reserve my own judgment.