

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

JOSEPH SLOMNICKI

Appellant

v.

CITY OF PITTSBURGH, COMMANDER  
KATHERINE M. DEGLER, LOCATED AT  
ZONE 4 POLICE STATION,  
NORTHUMBERLAND STREET, CITY OF  
PITTSBURGH, MAYOR LUKE  
RAVENSTAHL, CITY OF PITTSBURGH,  
POLICE OFFICER D. CAPLAN #3696

Appellees

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

No. 1699 WDA 2012

Appeal from the Order October 10, 2012  
In the Court of Common Pleas of Allegheny County  
Civil Division at No(s): GD 12-12419

BEFORE: SHOGAN, J., LAZARUS, J., and PLATT, J.\*

JUDGMENT ORDER BY LAZARUS, J. Filed: May 15, 2013

For the following reasons, we hereby DISMISS the appeal filed by Joseph Slomnicki.

Slomnicki appeals from the order entered in the Court of Common Pleas of Allegheny County sustaining preliminary objections filed by the City of Pittsburgh, *et al.*, and dismissing Slomnicki's complaint with prejudice. By order dated October 10, 2012, the trial court dismissed Slomnicki's complaint because, *inter alia*, it was insufficient under the Rules of Civil

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\* Retired Senior Judge assigned to the Superior Court.

Procedure, it was not verified, it did not contain sufficient factual content to demonstrate entitlement to relief, and Pennsylvania does not recognize a private cause of action for recovery of monetary damages for violations of constitutional rights.<sup>1</sup>

Slomnicki filed this timely appeal<sup>2</sup> on October 31, 2012. Upon review of his appellate brief, we are constrained to conclude that Slomnicki has waived all issues he may have wished to raise on appeal. Specifically, the “argument” section of Slomnicki’s brief consists of two paragraphs in which he does nothing more than recite our standard for review of the dismissal of a complaint based upon preliminary objections as set forth in *D’Elia v. Folino*, 933 A.2d 117, 121 (Pa. Super. 2007). Accordingly, because he has failed to develop any case-specific, fact-based legal argument whatsoever, he has waived all appellate issues. *See Commonwealth v. Clayton*, 816 A.2d 217 (Pa. 2002) (“[I]t is a well settled principle of appellate

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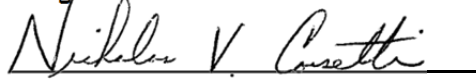
<sup>1</sup> In its Pa.R.A.P. 1925(a) opinion, the trial court further noted that Slomnicki has a “documented history of filing nearly identical lawsuits in the past, all of which have also been dismissed by the [c]ourt for similar reasons.” Trial Court Opinion, 11/30/12, at 2.

<sup>2</sup> We note for the record that proper jurisdiction for this appeal lies with the Commonwealth Court of Pennsylvania, which has jurisdiction over appeals filed from the Court of Common Pleas for civil cases involving local government. *See* 42 Pa.C.S.A. § 762(a)(4). However, Appellees have not objected to our jurisdiction pursuant to Pa.R.A.P. 741. As such, and because Slomnicki’s appeal is patently meritless, in the interest of judicial economy we will retain jurisdiction and dispose of Slomnicki’s appeal.

jurisprudence that undeveloped claims are waived and unreviewable on appeal.").

Appeal dismissed.

Judgment Entered.

A handwritten signature in cursive script, reading "Nicholas V. Casetti", is written over a horizontal line.

Deputy Prothonotary

Date: May 15, 2013