

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

THE BANK OF NEW YORK MELLON TRUST
COMPANY, NATIONAL ASSOCIATION FKA
THE BANK OF NEW YORK TRUST
COMPANY, N.A. SUCCESSOR TO
JP MORGAN CHASE BANK N.A. RAMP
2004-RS3 3232 NEWARK DRIVE
MIAMISBURG, OH 45342

IN THE SUPERIOR COURT OF
PENNSYLVANIA

Appellee

v.

WILLIAM A. VOGEL
TODD BELTZ (TENANT)
113 FOUNTAIN AVENUE
PITTSBURGH, PA 15205

APPEAL OF: TODD BELTZ

Appellant

No. 1567 WDA 2013

Appeal from the Order Entered September 5, 2013
In the Court of Common Pleas of Allegheny County
Civil Division at No(s): No. GD-13-009218

BEFORE: DONOHUE, J., OTT, J., and MUSMANNO, J.

MEMORANDUM BY OTT, J.:

FILED MAY 5, 2014

Todd Beltz appeals, *pro se*, from the order entered September 5, 2013, in the Court of Common Pleas of Allegheny County granting summary judgment in favor of The Bank of New York Mellon Trust Company, National Association FKA The Bank of New York Trust Company, N.A. Successor To JP Morgan Chase Bank N.A. Ramp 2004-RS3 3232 Newark Drive, Miamisburg, OH 45342 (The Bank), and immediate possession of the premises in

question, but preventing a lockout for 60 days from the date of the order. Because Beltz's appellant's brief is substantially deficient, we quash this appeal.¹

Pennsylvania Rule of Appellate Procedure 2101 requires briefs and reproduced records to conform in all material respects with the rules of appellate procedure. If the failure to conform to the rules is substantial, we may quash or dismiss the appeal. **See *Cole v. Czegan***, 722 A.2d 686 (Pa. Super. 1998) (where defects in *pro se* brief are so substantial that meaningful review is not possible, Superior Court will quash the appeal) (citation omitted).

Here, The Bank of New York foreclosed on property owned by William A. Vogel. Todd Beltz and his family were tenants of Vogel. The Bank sought possession of the property, and by the order of September 5, 2013, was granted possession. However, the order also prevented The Bank from ejecting Beltz until 60 days had passed.² Beltz filed a timely appeal from the grant of summary judgment, but has failed to indicate what errors were committed by the trial court.³ Furthermore, there are also no citations to

¹ Vogel did not take part in this appeal.

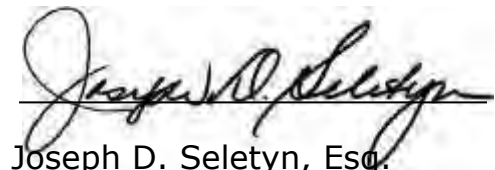
² We note that ejectment from the residence was further postponed well past the initial 60 days. It is unclear if the Beltz family still occupies the residence.

³ The trial court also noted the difficulty in locating any assignment of judicial error in Beltz's Pa.R.A.P. 1925(b) statement. **See** Trial Court (*Footnote Continued Next Page*)

the record or to any relevant authority. See Pa.R.A.P. 1119. Because there has been no assignment of error, nor any citations to record or authority, the brief is substantially deficient and leaves this Court with nothing to review.⁴ As such, we are compelled to quash this appeal.

Appeal quashed.

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: 5/5/2014

(Footnote Continued) _____

Opinion, 12/02/2013, at 3. It also appears that Beltz has raised a different argument on appeal than raised before the trial court.

⁴ Essentially, Beltz's Appellant's Brief is a statement that it is unfair to evict him and his family from the residence.