

**NON-PRECEDENTIAL DECISION – SEE SUPERIOR COURT I.O.P 65.37**

COMMONWEALTH OF PENNSYLVANIA

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

Appellee

v.

MICHAEL MCLEARY

Appellant

No. 1855 EDA 2013

Appeal from the Judgment of Sentence Entered June 4, 2013  
In the Court of Common Pleas of Philadelphia County  
Criminal Division at No(s): CP-51-CR-0002256-2007

BEFORE: BENDER, P.J.E., DONOHUE, J., and STRASSBURGER\*, J.

DISSENTING STATEMENT BY STRASSBURGER, J.: **FILED DECEMBER 22, 2014**

I agree with the Majority that the substantial defects in Appellant's brief prevent meaningful appellate review. Because I believe the proper disposition under these circumstances is dismissal rather than quashal, I respectfully dissent. ***See Bronson v. Kerestes***, 40 A.3d 1253, 1254-55 (Pa. Super. 2012) (Strassburger, J., concurring and dissenting) (noting that our Supreme Court in ***Sahutsky v. H.H. Knoebel Sons***, 782 A.2d 996 (Pa. 2001), enumerated the circumstances under which quashal is appropriate, all of which implicated lack of jurisdiction over the appeal; in the absence of those circumstances, dismissal is the appropriate disposition).

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\* Retired Senior Judge assigned to the Superior Court.