

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37**

COMMONWEALTH OF PENNSYLVANIA,

Appellee

v.

ASHLEY JUDGE,

Appellant

IN THE SUPERIOR COURT OF  
PENNSYLVANIA

No. 1214 EDA 2015

Appeal from the Judgment of Sentence Entered January 8, 2015  
In the Court of Common Pleas of Delaware County  
Criminal Division at No(s): CP-23-CR-0008006-2013

BEFORE: BENDER, P.J.E., DUBOW, J., and STEVENS, P.J.E.\*

MEMORANDUM BY BENDER, P.J.E.:

**FILED JULY 08, 2016**

Appellant, Ashley Judge, appeals from the January 8, 2015 judgment of sentence of an aggregate term of 5 to 10 years' incarceration, followed by 5 years' probation, imposed after a jury convicted her of various offenses stemming from her illegally purchasing and transferring firearms on two separate occasions. After careful review, we affirm.

We begin by noting that Appellant sets forth 15 claims in the 'Statement of Questions Presented' section of her brief. However, in her 'Argument' section, she groups those claims into four issues, which we paraphrase as follows: (1) the trial court erred by denying Appellant's pretrial motion to suppress several inculpatory statements she provided to

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\* Former Justice specially assigned to the Superior Court.

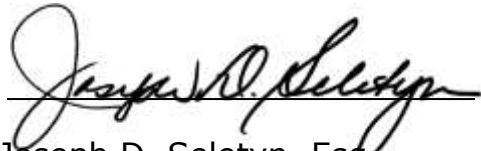
police, **see** Appellant's Brief at 15-10; (2) the court erred by denying Appellant's motion for judgment of acquittal, where the Commonwealth had no evidence of wrongdoing other than Appellant's confessions, thus violating the '*corpus delecti* rule,' **see id.** at 20-22; (3) the trial court erred by denying Appellant's motion for a new trial where the jury's verdict was contrary to the weight of the evidence, **see id.** at 22-23; and (4) Appellant's mandatory minimum sentence, imposed under 18 Pa.C.S. § 6111(h)(1) (providing a mandatory minimum sentence of 5 years' incarceration for a "second or subsequent violation of this section"), is illegal under the rationale provided by ***Alleyne v. United States***, 133 S.Ct. 2151 (2013), **see** Appellant's Brief at 23-25.

We have reviewed the briefs of the parties, the certified record, and the applicable law. Having done so, we conclude that Appellant's first issue, in which she challenges the trial court's denial of her motion to suppress, is sufficiently addressed by the Honorable John P. Capuzzi, Sr., of the Court of Common Pleas of Delaware County in his October 1, 2014 order denying Appellant's motion to suppress, as well as in Judge Capuzzi's Pa.R.A.P. 1925(a) opinion filed on July 17, 2015. **See** Trial Court Order, 10/1/14, at 1-8; Trial Court Opinion (TCO), 7/17/15, at 8-10. We adopt the rationale set forth by Judge Capuzzi in those two decisions, and conclude, based thereon, that Appellant's challenge to the court's denial of her motion to suppress is meritless.

Likewise, we also adopt the well-reasoned analysis set forth by Judge Capuzzi in his July 17, 2015 opinion regarding Appellant's remaining three issues. **See** TCO at 10-16. Judge Capuzzi's thoughtful analysis accurately disposes of the arguments presented by Appellant herein, and we need not expound on her claims further in concluding that they are meritless. Accordingly, we affirm Appellant's judgment of sentence. We further direct that the parties attach copies of the two trial court opinions referenced herein to any subsequent filings with this Court or our Supreme Court.

Judgment of sentence affirmed.

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: 7/8/2016