

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT I.O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA

IN THE SUPERIOR COURT OF
PENNSYLVANIA

Appellee

v.

ESSAM HAGGAG

Appellant

No. 898 MDA 2015

Appeal from the Judgment of Sentence April 27, 2015
In the Court of Common Pleas of Dauphin County
Criminal Division at No(s): CP-22-SA-0000040-2015

BEFORE: PANELLA, J., LAZARUS, J., and JENKINS, J.

JUDGMENT ORDER BY LAZARUS, J.:

FILED FEBRUARY 01, 2016

Essam Haggag appeals, *pro se*, from the judgment of sentence entered in the Court of Common Pleas of Dauphin County after the court found him guilty, on summary appeal, of unlawful activity pursuant to Londonderry Township, Dauphin County Local Ordinance § 6-2004(5) – abandoning property. Upon review, we affirm.

The trial court set forth the facts of this case as follows:

Essam Haggag was charged with [the above violation] when he was issued a Non-Traffic Citation. On February 5, 2015, [Haggag] appeared before Magisterial District Justice (“MDJ”) Richard Lenker for a summary trial. At the conclusion of the summary trial, [Haggag] was found guilty.

[Haggag] filed a summary appeal to the Dauphin County Court of Common Pleas. A summary appeal hearing took place on April 27, 2015, before this [c]ourt. [Haggag, who appeared *pro se*,] was found guilty and sentenced immediately to a \$500 fine, restitution in the amount of \$2,126.15 and the costs of prosecution. On May 26, 2015, [Haggag] filed a Notice of

Appeal with the Pennsylvania Superior Court. On June 8, 2015, this [c]ourt issued an order pursuant to Pa.R.A.P. 1925(b) directing [Haggag] to file as of record a Concise Statement of Matters Complained of on Appeal. . . . [Haggag] has failed to comply with the [Rule 1925(b)] [o]rder.

Trial Court Opinion, 10/5/15, at 1-2.

On appeal, Haggag raises several claims implicating the alleged violation of his rights under the Fourth and Sixth Amendments to the United States Constitution. However, prior to addressing the substance of Haggag's claims, we must determine whether they have been properly preserved for appellate review under Pa.R.A.P. 1925(b).

Rule of Appellate Procedure 1925 is intended to aid trial judges in identifying and focusing upon those issues which the parties plan to raise on appeal. ***Commonwealth v. Lemon***, 804 A.2d 34, 37 (Pa. Super. 2002). The absence of a trial court opinion poses a substantial impediment to meaningful and effective appellate review. ***Id.*** at 36-37. Thus, Rule 1925 is a crucial component of the appellate process and, as such, the Pennsylvania Supreme Court held that issues not included in a Pa.R.A.P. 1925(b) statement are deemed waived on appeal. ***Id.***

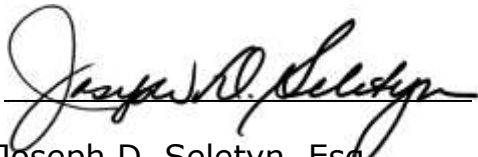
Here, the trial court issued a Rule 1925(b) order in which it directed Haggag to submit a Rule 1925(b) statement within twenty-one days of the date of the order, and advised him that failure to comply with the order may result in the waiver of all claims. The order was entered on the docket and mailed to Haggag. Haggag failed to submit a Rule 1925(b) statement as

ordered by the trial court. Accordingly, he has waived his appellate claims.¹

See id.

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: 2/1/2016

¹ Although this Court is willing to construe liberally materials filed by a *pro se* litigant, *pro se* status generally confers no special benefit upon an appellant. Accordingly, a *pro se* litigant must comply with the procedural rules set forth in the Pennsylvania Rules of the Court. **Commonwealth v. Postie**, 110 A.3d 1034, 1041 n.8 (Pa. Super. 2015) (citation omitted).