IN THE SUPREME COURT OF PENNSYLVANIA EASTERN DISTRICT

NO. 6 EAP 2021

COMMONWEALTH OF PENNSYLVANIA,

Appellee,

v.

DERRICK EDWARDS,

Appellant.

BRIEF FOR AMICI CURIAE PENNSYLVANIA ASSOCIATION OF CRIMINAL DEFENSE LAWYERS AND DEFENDER ASSOCIATION OF PHILADELPHIA IN SUPPORT OF APPELLANT DERRICK EDWARDS

Appeal From the Superior Court's July 29, 2020 Decision in No. 3429 EDA 2018 Affirming the Order of the Court of Common Pleas of Philadelphia County in Nos. CP-51-CR-0002611-2013, CP-51-CR-0002614-2013, CP-51-CR-0002815-2013, CP-51-CR-0002820-2013, CP-51-CR-0002853-2013, CP-51-CR-0002862-2013 and CP-51-CR-0002864-2013

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STATEMENT OF THE AMICI CURIAE

The Pennsylvania Association of Criminal Defense Lawyers ("PACDL") is a professional association of attorneys admitted to practice before the Supreme Court of Pennsylvania who are actively engaged in providing criminal defense representation. As *Amicus Curiae*, PACDL presents the perspective of experienced criminal defense attorneys who aim to protect and ensure by rule of law those individual rights guaranteed by the Pennsylvania and U.S. Constitutions. PACDL's membership includes more than 900 private criminal defense practitioners and public defenders throughout the Commonwealth. PACDL works to achieve justice and dignity for defense lawyers, defendants, and the criminal justice system itself.

PACDL members represent criminal defendants, many of whom are persons of color or other minorities who have been the subject of discriminatory practices and, in that capacity, must ensure that the guarantees of equal protection under the law and the right to a trial with a reliable verdict are protected.

The Defender Association of Philadelphia is a private, non-profit corporation which represents a substantial percentage of the criminal defendants in Philadelphia County at trial, at probation and parole revocation proceedings, and on appeal. The Association is active in all of the trial and appellate courts, as well as before the Pennsylvania Board of Probation and Parole. The Association

attempts to insure a high standard of representation and to prevent the abridgment of constitutional and other legal rights of the citizens of Philadelphia and Pennsylvania.

PACDL and the Defender Association of Philadelphia address the Court in this matter because of the need, 35 years after the seminal decision in *Batson v*. *Kentucky*, for this Court to reaffirm the importance of that holding and respond to and hereafter prevent the pernicious practice of excluding citizens from jury service not for what they believe but for the color of their skin.

Pursuant to Pa.R.A.P. 531(b)(2), *Amici* state that no other person or entity has paid for the preparation of, or authored, this brief in whole or in part.

STATEMENT OF THE CASE

Amici Curiae adopt and incorporate herein the Statement of the Case as presented by Appellant in his Brief to this Court. Amici emphasize the stark factual circumstances of this matter:

- Appellant is African-American.
- The Commonwealth, with eight available peremptory strikes, used seven to exclude African-American prospective jurors and its eighth to exclude a non-Caucasian prospective juror.
- The prosecutor acted intentionally in using race as a basis for jury selection.

Commonwealth v. Edwards, 177 A.3d 963, 972-973 (Pa. Super. 2018).

SUMMARY OF ARGUMENT

The protection of Pennsylvania's Constitution against twice being placed in jeopardy is properly invoked when a prosecutor engages in misconduct and "the conduct of the prosecutor is intentionally undertaken to prejudice the defendant to the point of the denial of a fair trial." That standard is unquestionably met when a prosecutor uses all eight peremptory challenges to remove persons of color—seven African-Americans and one other non-Caucasian—from the jury pool. The Double Jeopardy protection must apply for Mr. Edwards and, prospectively, for any person convicted after a *Batson* violation that was not remedied at time of trial.

Batson violations are intentional—the Equal Protection guarantee is breached only when there is invidious discriminatory purpose. Such violations are also invidious in their impact—jury diversity increases verdict reliability; and they are invidious in implementation, as intentionality means the prosecutor lied to the Court, when claiming there was a race-neutral reason for one or more peremptory challenges.

This combination of intentionality, the diminution of verdict reliability, and intentional misrepresentation to the trial court, meets the test of "overreaching"—the prosecutor, as representative of an impartial sovereign, seeking conviction at the expense of justice.

For these reasons, a bright-line rule barring retrial after a post-sentence finding of a *Batson* violation is mandated by this Court's Double Jeopardy precedent. Imposition of such a rule will not impede the fair and lawful prosecution of those who have been accused of crimes. *Amici* show that, in the thirty-five years since *Batson*, there have been 314 reported *Batson* decisions and only 23 grants of relief, a rate of fewer than one per year. This is significant, as it shows that imposing a Double Jeopardy bar in those rare instances where *Batson* violations are not remedied at trial will not result in a flood of dismissals.

A bright line rule will also serve as a strong deterrent to this form of prosecutorial misconduct and further increase vigilance on the part of trial courts in seeking to prevent race-based peremptory challenges. Deterrence is a recognized value in enforcing constitutional principles; and, because *Batson* violations can be corrected during the jury selection process and thus before jeopardy attaches, there will be no risk of dismissal when violations are detected and corrected before the jury is sworn.

Nothing less than a bright-line rule would be effective, as all *Batson* violations are over-reaching and pernicious. And at a time when, sadly, implicit biases are still pervasive in the courts and the criminal law system, it is essential that this Court implement a rule that not only is commanded by its precedent but

that also demonstrates and gives effect to this Commonwealth's commitment to equal justice.

ARGUMENT

BECAUSE A BATSON VIOLATION IS INTENTIONAL, REFLECTS THAT THE PROSECUTOR IS SEEKING CONVICTION AT THE EXPENSE OF JUSTICE, AND IMPAIRS THE RIGHT TO RELIABLE VERDICTS, THE REMEDY FOR SUCH MISCONDUCT MUST BE THE BARRING OF RETRIAL IN THOSE RARE INSTANCES WHERE THE EXCLUSION OF RACIAL MINORITIES FROM A JURY IS NOT REMEDIED AT TRIAL.

This Commonwealth's constitutional guarantee that no person shall be twice placed in jeopardy, Pa. Const. Art. I, § 10, applies "when the conduct of the prosecutor is intentionally undertaken to prejudice the defendant to the point of the denial of a fair trial." Commonwealth v. Johnson, 231 A.3d 807, 821-22 (Pa. 2020), quoting Commonwealth v. Smith, 615 A.2d 321, 325 (Pa. 1992). Where a prosecutor uses every one of the Commonwealth's eight peremptory strikes to remove minorities (seven African-Americans and one other non-Caucasian) from the jury and is found to have done so because of race, there has been conduct "intentionally undertaken to prejudice the defendant" and "den[y] . . . a fair trial." Such is the case for Appellant Derrick Edwards, as no conduct could be more egregious than the "eight for eight" strikes of the prosecutor, entitling Mr. Edwards to the Double Jeopardy protection found in Johnson and Smith; and so, too, must the Double Jeopardy protection apply in any of those rare circumstances that a Batson violation is found but not remedied before the jury is seated and sworn.

A. Batson as a Fundamental Guarantor of Equal Protection

"[A] defendant is denied equal protection of the laws when tried before a jury from which members of his or her race have been excluded by the State's purposeful conduct." *Powers v. Ohio*, 499 U.S. 400, 404 (1991). The right to equal protection was extended in *Batson v. Kentucky*, 476 U.S. 79 (1986), to provide defendants a means to challenge the use of peremptories on the basis of race. *Powers*, 499 U.S. at 405. *Batson* makes clear that Equal Protection is denied any time there has been even one instance of "purposeful discrimination in selection of the petit jury . . . on evidence concerning the prosecutor's exercise of peremptory challenges at . . . trial." *Batson*, 476 U.S. at 96.

B. Pennsylvania's Double Jeopardy Protection

This Court's line of cases from *Smith* to *Johnson* makes clear that the Double Jeopardy protection applies if three criteria are met:

- The conduct at issue must be *any* form of "serious prosecutorial misconduct";
- The conduct must be undertaken "intentionally" with the purpose of denying the defendant the constitutional right to a fair trial; and

Johnson extended the reach of Pennsylvania's Double Jeopardy protection to circumstances where the prosecutor's misconduct is undertaken recklessly or "with a conscious disregard for a substantial risk" that the accused would be denied his right to a fair trial. 231 A.3d 826. Because all *Batson* violations are by their nature intentional, the alternative "reckless" mens rea is not included here.

• The conduct must meet the threshold of "overreaching[.]"

Johnson, 231 A.3d at 822; see also Smith, 615 A.2d at 325. The last criterion,

"overreaching," is described as "signal[ing] that the judicial process has

fundamentally broken down because it reflects that the prosecutor, as

representative of an impartial sovereign, is seeking conviction at the expense of

justice." Johnson, 231 A.3d at 824 (citation omitted).

C. Batson Violations Exemplify "Seeking Conviction at the Expense of Justice."

A prosecutor's "purposeful discrimination" is the kind of intentional conduct *Johnson* and *Smith* prohibit. Intentionally striking potential jurors because of their race, both on its own terms and due to the consequence of reduced verdict reliability, as detailed below, seeks "conviction at the expense of justice."

A second aspect of a *Batson* violation confirms that it meets the *Smith/Johnson* Double Jeopardy threshold. Batson violations are predicated on a finding of purposeful discrimination. *Foster v. Chatman*, 136 S. Ct. 1737, 1747-48 (2016) (confirming that *Batson* violations are found only when there is "purposeful discrimination" and reaffirming that Equal Protection violations may be found only when there is "invidious discriminatory purpose . . ."). By definition, this means that the prosecutor's claimed race-neutral justification for the strike or strikes is false. Offering an untrue rationale to a trial court—especially one derived from a

discriminatory intent—is "overreaching" and is a paradigmatic case of acting "at the expense of justice."

D. Batson as Fundamental to a Fair Trial.

Batson is fundamental to the right to a fair trial because diverse juries enhance and indeed may ensure verdict reliability. As early as 1973, well before Batson was decided, this general principle was recognized:

When any large and identifiable segment of the community is excluded from jury service, the effect is to remove from the jury room qualities of human nature and varieties of human experience, the range of which is unknown and perhaps unknowable. . . . [I]ts exclusion deprives the jury of a perspective on human events that may have unsuspected importance in any case that may be presented.

Peters v. Kiff, 407 U.S. 493, 503-504 (1972) (Marshall, J., opinion announcing judgment of the Court, joined by Douglas and Stewart, JJ.). As the Court affirmed in Miller-El v. Dretke, 545 U.S. 231, 238 (2005), racial discrimination in jury selection "casts doubt" over the entire legal process, permits prejudices to cloud judgment, and compromises the right of trial by impartial jury.

Other states' highest courts agree that a *Batson* violation undermines verdict reliability. One court concluded succinctly, "diversity begets impartiality." *State* v. *LaMere*, 2 P.3d 204, 212 (Mont. 2000); *see also State v. Saintcalle*, 309 P.3d 326, 337 (Wash. 2013) ("more diverse juries result in fairer trials").

That which courts have intuited has been borne out by social science research. Diverse juries deliberate longer and more thoroughly and, as a result, generate verdicts of greater reliability. As a 2019 survey of research concludes, "diversity among jurors has a positive influence on the quality of jury deliberations and verdict fairness." Margaret Bull Kovera, *Racial Disparities in the Criminal Justice System: Prevalence, Causes, and a Search for Solutions, Journal of Social Issues, Oct.* 31, 2019, available at https://doi.org/10.1111/josi.12355 (last visited Apr. 7, 2021).²

The most-cited research on this point is Samuel R. Sommers, On Racial Diversity and Group Decision Making: Identifying Multiple Effects of Racial Composition on Jury Deliberations, 90 JOURNAL OF PERSONALITY AND SOCIAL PSYCHOLOGY, 597-612 (2006). Of particular note is Sommers' finding that:

[h]eterogeneous groups deliberated longer and considered a wider range of information than did homogeneous groups. However, these differences did not simply result from Black participants adding unique perspectives to the discussions. Rather, White participants were largely responsible for the influence of racial composition, as they raised more case facts, made fewer factual errors, and were more amenable to discussion of race-related issues when they were members of a diverse group.

This correlates with other research which demonstrates that "jurors mak[e] harsher judgments about defendants from different racial or ethnic groups (*i.e.*, outgroup members) or, conversely, more favorable judgments for defendants from the same racial or ethnic group" Jennifer S. Hunt, *Race, Ethnicity, and Culture in Jury Decision Making*, 11 Annual Rev. Law Soc. Sci. 269-88 (2015).

Id. at 606.

One other finding has special significance: "[D]iverse groups made fewer factual errors than all-White groups [and] inaccuracies were more likely to be corrected in diverse groups." *Id.* at 608. A *Batson* violation—a deliberate attack on jury diversity—therefore meets the second criterion of the *Smith/Johnson* cases: it is an act that occurs with the purpose of denying the defendant his constitutional right to a fair trial.

E. The Remedy of Double Jeopardy Dismissal Is Fair and Proportionate.

Because of the intentional nature of all *Batson* violations, each time such conduct occurs it meets the threshold of egregious action and prosecutorial overreaching. *Amici* show here that precluding retrial after a prosecutor has been found to have deliberately excluded potential jurors because of their race is proportionate even in light of the legitimate interests of the Commonwealth to bring those who have committed crimes to justice. Such a rule will demonstrably affect only a minuscule number of cases; its approval will encourage trial courts to be vigilant during jury selection and deter prosecutors from such misconduct; and because jeopardy does not attach until *after* a jury is fully seated *and sworn*, redressing *Batson* violations during the *voir dire* process will mean that the remedy will be necessary only in the rarest of circumstances when an appellate court

concludes that there has been intentional discrimination that was not remedied at trial.

That such instances will be rare indeed is proved by the history of race-based jury challenges in this Commonwealth. April 30 of this year will mark the 35th anniversary of *Batson*. In that time, as is detailed in Appendix "A," there were a total of 314 post-trial *Batson* challenges reported in this Commonwealth, fewer than ten per year. And of those, only 23 were successful, an average of under 0.66 per year. In *Johnson*, this Court expressed concern that a Double Jeopardy dismissal should not be used excessively because offset against "the defendant's interest in a fair trial [is] society's interest in bringing criminals to justice." 231 A.3d at 822. Even if the current rate of initially-unremedied *Batson* violations

³ A search was conducted in the Westlaw database for every decision from the Pennsylvania Supreme Court, Pennsylvania Superior Court and Pennsylvania's Courts of Common Pleas that cited to *Batson v. Kentucky*, even if *Batson* was mentioned solely to describe the history of the case. Every case identified in that search—be it one involving post-trial motions, direct appeal, or PCRA—was then counted and catalogued for its procedural posture and outcome.

⁴ There were 278 cases involving *Batson* claims that were unsuccessful: 215 were dismissed due to lack of merit; 69 had been waived; 15 were characterized as *Batson* claims but were actually something else; 6 were withdrawn; and 8 cases referenced *Batson* claims, but failed to elaborate on the claim in the final disposition. Of these 278 unsuccessful *Batson* claims, 22 claims were dismissed for more than one reason. Overlapping reasons included the claim being both waived and meritless, the claim being waived but used incorrectly, or the claim being meritless and used incorrectly.

were to double this would mean that in the next 35 years a total of 46 cases would be dismissed, or 1.3 cases per year out of tens of thousands of cases brought annually in this Commonwealth. "[S]ociety's interest in bringing criminals to justice" will be fully protected.

But even these dismissals would be unlikely to occur if the bright line remedy of a Double Jeopardy bar were applied. Such a rule would have tremendous deterrent effect, causing prosecutors to think twice before using race as a factor in jury selection. Judges would be incentivized to be more vigilant in scrutinizing *Batson* challenges; and because such errors can be remedied before a jury is sworn, jeopardy would not have attached, the *Batson* error would have been cured, and dismissal after appeal would not be an available remedy.

Deterrence is a recognized value in Constitutional jurisprudence and in determining remedies after repeated violations have occurred, especially where there is "willfulness and prejudice[.]" *Government of the Virgin Islands v. Fahie*, 419 F.3d 249, 254 (3d Cir. 2005).⁵ "Deliberate misconduct is targeted for extra

Deterrence is also an appropriate consideration under a court's supervisory power which can be used "to deter future illegal conduct." *United States v. Chapman*, 524 F.3d 1073, 1085 (9th Cir. 2008) (citation omitted); *United States v. Simpson*, 927 F.2d 1088, 1090 (9th Cir. 1991) (same); *see also United States v. Serubo*, 604 F.2d 807, 817 (3d Cir. 1979) ("[D]ismissal of the indictment may be proper even where no actual prejudice has been shown, if there is evidence that the challenged activity was something other than an isolated incident unmotivated by

deterrence because we expect willful misbehavior to be the most effectively deterred by enhanced penalties." *Id.* at 255 (citation omitted); *see also Commonwealth v. Merry*, 904 N.E.2d 413, 424 (Mass. 2009) ("where the prosecutor's conduct is otherwise so egregious . . . dismissal is warranted to deter similar future misconduct") (citations omitted).

"[T]he remedy a state court chooses to provide its citizens for violations of the Federal Constitution is primarily a question of state law." *Danforth v. Minnesota*, 552 U.S. 264, 288 (2008). With a history of race-based jury selection spanning the 35 years of *Batson's* applicability, continuing practices with roots going back more than a century before that, deterrence is needed.

F. The Continuing Impact of Racism and Implicit Bias Warrants This Court Taking Action.

Mr. Edwards' claim did not arise in a vacuum. Sadly, issues of race, racist belief, implicit bias and disparate impact continue to plague the criminal justice system, affecting its outcomes and influencing perceptions regarding its legitimacy and independence. Applying the Double Jeopardy bar to post-trial reversals for violations of *Batson* would demonstrate, in a profound way, Pennsylvania's

sinister ends, or that the type of misconduct challenged has become 'entrenched and flagrant' in the circuit.").

commitment to deterring and preventing the continued intrusion of racial inequity and discrimination into its system of justice.

A report on equity, diversity and inclusion in the Philadelphia court system released in July 2020 found "a culture of nepotism, mistrust, and racial tension that is constantly brewing—and occasionally bubbling to the surface" and a "troubling pattern of racial resentment among some white staff and judges." A sizable portion of judges and court staff—22% and 17%, respectively—reported experiencing discrimination in some form at work. Black female judges, in particular, noted significant experiences of bias and exclusion. More than half of the judges who participated (55%) expressed discomfort discussing race and racism at work. The report concluded that, "[i]n a court system, a lack of support for [equity-related] conversations can foster a culture of implicit and explicit bias. . .."

⁶ Center for Urban and Racial Equity, First Judicial District of Pennsylvania Equity Organizational Assessment Report, July 2019, at i & 44, https://www.documentcloud.org/documents/6983680-First-Judicial-District-of-PA-Equity.html#document/p1 (last visited Apr. 7, 2021).

⁷ *Id.* at v, 33-34.

⁸ *Id.* at i-ii, 15, 20.

⁹ *Id.* at vi, 37.

¹⁰ *Id.* at 17, 44.

The study reported a troubling belief among some white judges and staff that institutional and structural racism are not significant factors in modern society.¹¹

The report also found a pattern of racial resentment among some white judges and staff who complained about what they perceived as reverse racism and who shared their view that reverse racism is as significant as racism against people of color.¹²

Similar concerns were voiced at a February 2021 public hearing convened by the Pennsylvania Senate and House Democratic Party Committees to discuss racial and gender bias in courts across the Commonwealth.¹³ Black attorneys testified to their own experiences of racial discrimination in the courtroom.¹⁴

Egregious examples of overt racism continue to be reported. In 2020, a
Common Pleas Court judge from Allegheny County was sanctioned for racist
remarks concerning litigants who appeared before him, including on one occasion
berating an assistant district attorney for not removing a black woman whom he

¹¹ *Id.* at 44.

¹² *Id.* at i, v, 33.

¹³ PA Senate & House Democrats Join PA Legislative Black Caucus for Hearing on Racial and Gender Bias in the Courts, https://pasenate.com/hearing-on-racial-and-gender-bias-in-the-courts/ (last visited Apr. 7, 2021).

¹⁴ *Id*.

referred to as "Aunt Jemima" from the jury panel in a criminal case.¹⁵ A

Philadelphia County court employee was fired last year after tearing down "Black
Lives Matter" signs and declaring that black lives do not matter to him.¹⁶ The
report on the Philadelphia court system published in 2020 included a complaint by
a female African American judge that she was the subject of a racist and sexist
threat that appeared to come from a fellow judge or court staff member.¹⁷ While
not representative, these isolated incidents are nonetheless cause for concern.

A recent study revealed that implicit bias is also prevalent among and impactful on the judiciary. The study concluded that judges harbor many of the

of Judicial Discipline (Nov. 19, 2020), https://www.post-gazette.com/news/crime-courts/2020/11/19/pittsburgh-allegheny-county-judge-mark-tranquilli-sanctions-court-discipline-racist-statements-misconduct/stories/202011180142 (last visited Apr. 7, 2021).

him tearing down signs and saying black lives don't matter (June 16, 2020), https://www.cnn.com/2020/06/16/us/philadelphia-court-supervisors-black-lives-matter-signs/index.html (last visited Apr. 7, 2021).

¹⁷ Laura McCrystal, City Council criticizes Philly courts for inaction on systemic racism (Dec. 7, 2020), https://www.inquirer.com/news/philadelphia/philly-courts-racism-karen-simmons-roxanne-covington-20201207.html (last visited Apr. 7, 2021).

¹⁸ Bernice P. Donald, Jeffrey Rachlinski and Andrew J. Wistrich, *Getting Explicit About Implicit Bias*, JUDICATURE, Vol. 104 No. 3 (Fall/Winter 2020-2021),

same implicit associations as most American adults. For example, using the implicit association test, the study found that 80 percent of white judges more strongly associated black faces with negative words and white faces with positive words. Black judges expressed a more complex pattern, with some judges showing the same white-good/black-bad association as white judges, but an equal number showing the opposite preference. These results suggest that judges are no different than most adults in the United States.¹⁹

And all of this is in the context of a judicial and prosecutorial system that to many may appear to be not representative of the population as a whole.²⁰ All of the 67 district attorneys in Pennsylvania in 2021 are white.²¹ In fact, prosecutors throughout the United States are predominantly white.²² According to a report

https://judicature.duke.edu/articles/getting-explicit-about-implicit-bias/ (last visited Apr. 7, 2021).

¹⁹ *Id*.

²⁰ Alicia Bannon and Janna Adelstein, *State Supreme Court Diversity-February 2020 Update*, https://www.brennancenter.org/our-work/research-reports/state-supreme-court-diversity-february-2020-update (last visited Apr. 7, 2021).

²¹ This conclusion is derived from visual review of biographical data published at https://www.pdaa.org/da-directory/ (last visited Apr. 7, 2021).

²² America's Prosecutor Problem, http://interactive.fusion.net/how-to-rig-an-election/district-attorney-race.html (last visited Apr. 7, 2021).

published in 2015, more than 90% of prosecutors are white even though white men and women make up only approximately 60% of the population.²³

The justice system disproportionately punishes minorities. In Pennsylvania, black people are almost nine times more likely than white people to be incarcerated.²⁴ Disproportionality breeds distrust. A 2016 survey conducted on behalf of the National Center for State Courts found that a majority of the African Americans who participated in the survey (56%) felt that an African American defendant would suffer bias at the hands of a white judge, while 30 percent of white participants felt the same way.²⁵

Context matters. Mr. Edwards is entitled to the protection of this

Commonwealth's Double Jeopardy protection for the reasons detailed above; and
so too are those who hereafter suffer intentional discrimination in jury selection.

The persistence of bias in the adjudicative process is an added reason to declare

²³ *Id.*, citing 2014 report by San Francisco-based non-profit Women Donors Network.

²⁴ The Sentencing Project, *State-By-State Data*, https://www.sentencingproject.org/the-facts/#map (last visited Apr. 7, 2021).

²⁵ Gerstein Bocian Agne Strategies, Annual National Tracking Survey Analysis (Dec. 12, 2016), https://www.ncsc.org/data/assets/pdf file/0018/16128/sosc 2016 survey analys is.pdf (last visited Apr. 7, 2021).

this remedy as that ensured by law. It is time for this Court to declare a strong remedy when prosecutors engage in purposeful discrimination in jury selection.

CONCLUSION

A *Batson* violation, by its nature, is an act of intentional discrimination against prospective jurors *and* an attack on the fundamental right to a jury that deliberates carefully and impartially. It ranks among the most serious forms of prosecutorial misconduct, and it clearly constitutes the type of "overreaching" this Court has deemed eligible for Double Jeopardy protection. Accordingly, for the reasons contained herein, *Amici* request this Court to bar retrial of Mr. Edwards and declare that any *Batson* violation not corrected at trial will hereafter preclude a retrial.

Respectfully submitted:

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Counsel and *Amici* thank Temple University Beasley School of Law students

Emily Hoff and Jamie Klein for exceptional research and assistance in preparing this brief.

CERTIFICATE OF COMPLIANCE

I certify that this filing complies with the provisions of the *Public Access*Policy of the Unified Judicial System of Pennsylvania: Case Records of the

Appellate and Trial Courts that require filing confidential information and documents differently than non-confidential information and documents.

Professor Jules Epstein

CERTIFICATE OF WORD COUNT COMPLIANCE

I, Donna A. Walsh, hereby certify that the *Amici* Brief contains 4110 words which satisfies the requirements of Pa.R.A.P. 531(b)(3).

Donna A. Walsh

Date: April 7, 2021

APPENDIX

Case Name	Trial / Superior / Notes Supreme Court	Not a <i>Botson</i> claim	Withdrawi Batson elgim	n Unknown Success result to Batson Batson claim Claim	ful Unsuev seful Batson Claim			r Resnauded for new trial	Direct A ₁ cal ("D"). PCRA ("P or Both ("B)?	Court Finding Declined to decision on Discuss the the merits Issue	meritless	Finding? Waived	Inappropriate use of Batson	Finding: waived during PRCA	Citation
llexonder v. Carlisle Corp.	PA Superior Court				х				D		x				Alexander v. Carlisle Corp. 674 A.2d 268 (Pa. Super, Ct. 1996)
-	Committee Commit														
					_				_			_			Brooks v. Speller , 2013 WL 11287673
recent be	PA Superior Court			x			x			x					(Pa. Super. Ct. 2013)
	Common Pleas Unsuccessful claim: the claim was meritles	SS			x	х					х				Brooks v. Speller . 2012 WL 2365307 (Pa. C. P. 2012)
	manufacture.	- 1													THE REAL PROPERTY.
e e e e e e e e e e e e e e e e e e e	Unsuccessful claim: the claim was meritles Note: EDPA negative treatment does not Supreme Court apply to the Dotson claim (EDPA upholds courts decision to deny relicf)				x	х					x				Commonwealth v. Abu-Jamal . 555 A 2d 846 (Pa. 1989)
	They constituted the claim was meritle														Commonwealth v. Cook,
THE STATE OF THE S	Common Pleas				X	x		ALC:			X			_	30 Phila. Co. Rptr. 1 (Pa. C. P. 1995) Commonwealth v. Ahu-Jamal.
	PA Supreme Court			_	х				P		X	_	_	_	720 A,2d 79 (Pa. 1998)
1-2-0	O Francisco	- 1									_			_	Commonweolth v. Acres .
Commonweolth v. Acres	PA Superior Court				х				D		X		х		2018 WL 4704508 (Pa. Super, Ct. 2018)
b	PA Supreme Court Unsuccessful claim: the claim was waived before the PCRA court				x									х	Commonwealth v. Ali , 10 A.3d 282 (Pa 2010)
	Common Pleas				, x				D			X			Commonwealth v. Ali . 2012 WL 6928177 (Pa. C. P. 2012)
Commonwealth v. Alston	Common Picas				х				P		x		x		Commonwealth v. Alston , 2003 WL 25711039 (Pa. C. P. 2003)
(Benjanim) Commonwealth v. Alston (Kevin)	PA Superior Court				х				D				x		Commonwealth v. Alston , 864 A,2d 539 (Pa. Super. Ct. 2004)
Commonwealth v. Alton	Common Picas				X	_	_		D		X				Commonwealth v. Alton , 2012 WL 12033737 (Pa. C. P. 2012)
-	PA Superior Court				х				D		х				Commonwealth v. Amos . 2017 WL 6545972 (Pa. Super. Ct. 2017)
() () () () () ()	- Indian														Barbara Barbara
	Countries:	1													Commonwea 'h v. Arrington .
Commonwealth v. Arrington	Common Pleas				X				D		X	х			2008 WL 9853230 (Pa. C. P. 2008) Commonweolih v. Austin . 2018
Commonwealth v. Austin	PA Superior Court				X				P					X	WL 466237 (Pa. Super. Ct. 2018) Commonwealth v. Baez, 720 A.2d 711
Commonwealth v. Baez	PA Supreme Court				x				D		x	х			(Pa. 1998)
	Market Co.														
Server by the	PA Supreme Court		х		X					x					Commonwealth v. Baker , 728 A.2d 952 (Pa. 1999)
Commonwealth v. Bartlett	Common Pleas				X				D		X				Commonwealth v. Bartlett . 2002 WL 34576671 (Pa. C. P. 2002)
Commonwealth v. Basemore	PA Supreme Court			X											Communicatile v. Basemore . 744 A.2d 717 (Pa. 2000)
Commonwealth v. Bates	PA Superior Court				X				P					х	Commonwealth v. Bates 2017

Case Name	Trial / Superior / Notes Supreme Court	Not a <i>Batson</i> claim	Withdrawi Balson elgim	n Unknown S result to i Batsun claim (Batson	Unsucce ssful Batşan Claim	Appealed (meaning the case should out to our total number)		r Remander for new trial	d Direct Appeal (D' , PCRA ("P' or Both ("B")?		Findings the derish on the merits	Finding: meritless claim			Finding: iate waived on during PRCA	Citation
ommonwealth v. Bath	Common Pleas					X				D			х				Commonwealth v. Bath , 2001 WL 36043686 (Pa. C. P. 2001)
	Annual Control																Total Committee of the
	and the																
		_	_	_	_	Х		_	_	D		_	x		_		Commonwealth v. Baumgartner .
oinmoirwealth v. Baumgartner	Common Pleas This was discussed in the procedural history									P				X			2014 WL 7896586 (Pa. C. P. 2014) Commonwealth v. Beasley.
onmonwealth v. Beasley ommonwealth v. Bell	PA Superior Court					x		_		D		_	x				937 A.2d 379 (Pa. 2007) Commonwealth v. Bell. 2018 WL 947644 (Pa Super. Ct. 2018)
ommonwealth v. Benitez	Common Pleas					x				D	_		x				Commonwealth v. Benitez
												_					2002 WL 34271333 (Pa. C. P. 2002 Commonwealth v. Berrien , 37 Pa. D. & C. 4th 528 (Pa. C. P.
onmonwealth v. Berrien	Common Pleas					Х				D			Х				1997)
-	A Company Company																Commonwealth v. Biddings.
ommonwealth v. Biddings	Common Pleas					x				D			X				2003 WL 25711293 (Pa. C. P. 2003
ommonwealth v. Blakeney	PA Supreme Court Defendant was pro se so he was unable to claim ineffective assistance of counsel					X				P			Х				Commonwealth v. Blakeney, 108 A 739 (Pa. 2014)
	Terral Street Control of Control	100															A STATE OF THE STA
ammonwealth v. Boggs	Common Pleas					X				P			х				Commonwealth v. Boggs . 2003 WL 25598165 (Pa. C. P. 2003
ommonwealth v. Bolden	PCRA					x				P			х				Commonwealth v. Bolden , 1996 W 34435288 (Pa. C. P. 1996)
-	PA Supreme Court					х				D			х				Commonwealth v. Bond , 819 A,2d (Pa. 2002)
(gravitation of the second	PA Supreme Court Unsuccessful claim: the claim was meritless					х							х				Commonwealth v. Bond , 652 A,2d 308 (Pa. 1995)
ommonwealth v. Bonilla	PA Superior Court					х				D			X				Commonwealth v. Banilla . 2013 W 11259138 (Pa. Super. Ct. 2013)
ommonwealth v. Boulware	Common Pleas					х				D			х				Commonwealth v. Boulware . 34 Phila. Co. Rptr. 496 (Pa. C. P. 1997
A PRO	PA Supreme Court Unsuccessful claim: the claims were waived in front of the PCRA	1				х	x									Х	Commonwealth v. Bracey . 787 A.2 344 (Pa. 2001)
	PA Supreme Court				_	x				Р				x		х	Commonwealth v. Bracey, 795 A.2 935 (Pa. 2001)
Commonwealth v. Bradham	Common Picas					x				D			X				Commonwealth v. Bradham 2004 WL 5535066 (Pa. C. P. 2004)
Commonwealth v. Brodshaw	Common Pleas					x				D			x				Commonwealth v. Bradshaw, 2005 WL 6067839 (Pa. C. P. 2005)
Conmonwealth v. Brandao	PA Superior Court					X				D			х				Commonwealth v. Brandao . 237 A.3d (Pa Super, Cr. 2020)
-	PA Superior Court Unknown answer: Court references there was a Batson claim in the procedural bistor but there is nothing published on the outcome.						x										Commonweolth v. Brinson . 30 A.3d 490 (Pa. Super. Ct. 2011)
	PA Superior Court references there was a <i>Batson</i> claim in the procedural history, but there is nothing published on the outcome.	c		x													Commonwealth v. Brinson . 240 A.3d 156 (Table) (Pa. Super. C 2020)

ase Name	Trial / Superior / Notes Supreme Court	Not a <i>Botson</i> claim	Withdrawn Batson vigin	Unknown result to Batson clain	Batsw	Unsucce ssful Batson Claim		Remauder for new trial	Direct Appeal (D ^p PCRA 'P" or Both (B)?	Finding: decision on the merits			Finding: Inappropria use of <i>Butson</i> claim	te waived	Citation
Commonwealth v. Brokenhorough	PA Superior Court		х												Commonwealth v. Brokenborough, 2015 WL 6958342 (Pa. Super. Ct. 2015)
Commonwealth v. Bronshtein	PA Supreme Court					x			D		х	х			Commonwealth v. Bronshtein, 691 A.2d 907 (Pa. 1997)
Commonwealth v. Broaks (Billy)	Common Pleas					х			D		x				Commonwealth v. Brooks , 2007 WL 7299678 (Pa. C. P. 2007)
															THE RESERVE OF
ommonwealth v. Brooks (Wilhe ee)	PA Superior Court	_				х			D		х				Cammonwealth v. Brooks , 2015 WL 6950130 (Pa Super. Ct. 2015)
ommonwealth v. Brown (Gartor)	Common Pleas					Х			D		х				Commonwealth v. Brown, 2018 WL 11214846 (Pa. C. P. 2018)
ommonwealth v. Brown (Lavar)	PA Superior Court					х			P			x			Commonwealth v. Brown , 2013 WL 11267531 (Pa. Super, Ct. 2013)
Commonwealth v. Brown L'anessa)	PA Superior Court					x			D		x	х			Commonwealth v. Brown, 242 A.3d 455 (Table)(Pa. Super. Ct. 2020)
ommonwealth v. Brown Iliam)	PA Superior Court					х			D		х				Commonwealth v. Brown , 2015 WL 6870633 (Pa. Super, Ct. 2015)
'ommonwealth v. Burns	PA Superior Court					х			D		x				Commonwealth v. Burns, 765 A.2d 1144 (Pa. Super. Ct. 2000)
ommonwealth v. Carson Januel)	PA Supreme Court Negative treatment is unrelated to the Batson claim				х					X					Commonwealth v. Carson , 741 A.2d 686 (Pa. 1999)
ominonwealth v. Carter	PA Superior Court	_	_			x		 _	Р		x	-			Commonwealth v. Corter , 2013 WL 11253813 (Pa. Super Ct. 2013)
Commonwealth v. Castro	Common Pleas					X			D		х				Commonwealth v. Castro . 2007 WL 6875791 (Pa. C. P. 2007)
	The state of the s														The second second
-	The state of the s														
Commonwealth v. Clark Maurice)	Common Picas					x			D		х				Commonwealth v Clark, 2005 WL 6067813 (Pa. C. P. 2005)
	Unsuccessful claim: the claim was in Note: negative treatment is not relate Batson issue					х	х				x				Commonwealth v. Clark , 710 A.2d 3 (Pa. 1998)
ir.tr	PA Supreme Court					x			P		x				Commonwealth v. Clark , 961 A.2d 8 (Pa. 2008)
Commonwealth v. Collins	PA Supreme Court					х			P			х			Commonwealth v. Collins , 957 A,26 237 (Pa. 2008)
ommanwealth v. Cook	PA Supreme Court					x			D		X				Commonwealth v. Cook, 952 A.2d 594 (Pa. 2008)
ommonwealth v. Coombs	Common Pleas					х			D		x				Commonwealth v. Coombs., 2002 WL 34401724 (Pa. C. P. 2002)
										L.					Name and Address of the Owner, where the Owner, which is the Owner, where the Owner, which is the Owner, where the Owner, which is t
ommonwealth v. Cornish	PA Superior Court					х			D		х				Commonwealth v. Cornish . 2015 WL 6951151 (Pa. Super. Ct. 2015)
Commonwealth v. Correa	PA Superior Court					x			D		X				Commonwealth v. Correa , 620 A.26 497 (Pa. Super, Ct. 1993)
-	PA Superior Court					х			D		х				Commonwealth v. Cox., 2016 WL 6678504 (Pa. Super, Ct. 2016) Commonwealth v. Cox., 2016
and the second	PA Superior Court			х			х								WL 4792035 (Pa, Super, Ct. 2016)
Commonwealth v. Crisswalle	Conumon Picas					Х			D		х				Commonwealth v. Crisswalle , 2010 WL 8366884 (Pa. C. P. 2010)
	Manager 1														2710-24

Case Name	Trial / Superior / Supreme Court	Notes	Not a <i>Batson</i> elgim	Withdrawn Balson claim	t Unknown Successfu result to Batson Batson claim Claim	il Unsuce seful Bargon Claim	Appealed (meaning the case should not be counted to our total number		r Remanded for new trial	Direct Appeal (D") PCRA (P" or Both ('B")?	Court Finds Declined to decision on Discuss the the merits Issue			Citation Commonwealth v. Cruz-Rivera , 2014
Commonwealth v. Cruz-Rivera	PA Superior Court					x				P		х		WL 10986659 (Pa. Super, Ct. 2014)
Commonwealth v. Daniels (Henry)	PA Supreme Court					Х				P		X	х	Commonwealth v. Daniels , 963 A.2d 409 (Pa. 2009)
All 1 st	A lambar													Commonwealth v. Davis, 916 A.2d
Commonwealth v. Davis	PA Superior Court					Х	-	-		В		Х	х	1206 (Pa. Super. Ct. 2007)
ents (1)	PA Supreme Court			-	_	X				P		X		Commonwealth v. Dennis . 859 A.2d 1270 (Pa. 2004)
Control of the Control	PA Supreme Court	Unsuccessful claim; the underlying Balson claim is meritless, thus trial counsel cannot be found ineffective Note: Hebeas Corpus granted by E.D.Pa. in	1			x	x					х		Commonwealth v. Dennis. 715 A.2d 404 (Pa. 1998)
	and the last	2013												
Commonwealth v. Diggs	PA Superior Court	Unrelated case, but <u>note</u> ; Federal habeus granted retrial based on Batson claim			х									ommonwealth v. Diggs, 220 A.3d 1112 (Pa Super. Ct. 2019)
fft 1	PA Superior Court	Successful claim			x		x				x			Commonwealth v. Dinwiddie, 542 A.2d 102 (Pa. Super. Ct. 1988)
	PA Supreme Court				x				х		x			Commonwealth v. Dimeiddie . 601 A 2d 1.16 (Pa. 19.2)
Commonwealth v. Dixon	PA Superior Court					X				P		х		Commonwealth v. Jixon , 2017 WL 5946524 (Pa. Super. Ct. 2016)
Commonwealth v. Dogan	PA Superior Court		_			X				D		х		Commonwealth v. Doğan , 2018 WL 1702784 (Pa. Super. Ct. 2018)
(-nm-+ 2-1 - 1 - nen	PA Superior Court					x				D		х		Commonwealth v. Doven , 848 A.2d 1007 (Pa. Super. Ct. 2004)
Commence Continue	Conunon Pleas	Unsuccessful claim: the claim was merities	5			x	x					х		Commonwealth v. Doyen, 2003 WL 25712170 (Pa. C. P. 2003)
Commonwealth v. Dunson	Common Picas					x				D		х		Commonwealth v. Dunson 2007 WL 7305632 (Pa. C. P. 2007)
Commonwealth v. Eddings	PA Superior Court		_			X			_	D		Х	_	Commonwealth v. Eddings. 721 A.2d 1095 (Pa. Super. Ct. 1998)
Commonwealth v. Edgefield	PA Superior Court					х				D		Х		Commonwealth v. Edgefield, 2013 WL 11272628 (Pa. Super. Ct. 2013)
Commonwealth v. Edmunds	PA Superior Court					Х				D		x		Commonwealth v. Edmunds, 2015 WL 6663271 (Pa. Super, Ct. 2015)
Commonwealth v. Edwards	PA Superior Court	Successful claim			X		х				x			Commonwealth v. Edwards . 177 A 3d 963 (Pa, Super, Ct, 2018)
(Derrick)	PA Superior Court					Х				D				Commonwealth v. Edwards . 239 A.3d 112 (Table) (Pa. Super. Ct. 2020)
Uniteral at a file		Basemore claim, so there is no basis for						_						Control Control
Commonwealth v. Eggleston	PA Superior Court					х				D		Х	X	Commonwealth v. Eggleston . 2013 WL 11273037 (Pa Super, Ct. 2013)
Commonwealth v. Fields	Conunon Pleas					X				D		х		Commonwealth v. Frelds , 2005 WL 5793796 (Pa. C. P. 2005)
Commonwealth v. Figueroa	PA Superior Court				х						x			Commonwealth v. Figueroa, 29 A.3d 1177 (Pa. Super. Ct. 2011)
Commonwealth v. Fisher	PA Supreme Court					X				D		х		Commonwealth v. Fisher , 681 A.2d 130 (Pa. 1996)
Commonwealth v. Flamer	PA Superior Court					x				D		х		Commonwealth v. Flamer, 2016 WL 2798907 (Pa. Super, Ct. 2016)
Commonwealth v. Fletcher	PA Supreme Court					х				D		х		Commonwealth v. Fletcher, 861 A.2d 898 (Pa. 2004)

Case Name	Trial/Superior/ Supreme Court	Notes	Not a <i>Butson</i> claim	Withdrawn Butson elhim	Unknown Successfuresult to Batson Batson claim Claim	d Unsucc ssful Batson Claim	e Appealed Remanded (meaning Butson I the ease evidentiary should not be counted to our total number)	or Remande for new trial	d Direct Appeal O(1). PCRA Por Both ("B ⁵)?	Court Finding: Declined to decision on Discuss the the merits Issue	meritless	Finding: Waived	Inappropriate w	inding: aived uring RCA	Citation
	Common Pleas			_		х			D		х				Commonwealth v. Flores , 1998 WL 3525 7129 (Pa. C. P. 1998)
Commonwealth v. Foster	PA Superior Court		_	_		X			D		х				Commonwealth v. Foster, 651 A 2d 163 (Pa. Super, Ct. 1994)
and the same of	- Section														
Commonwealth v. Futrell	Common Pleas					х		-	D		X				Commonwealth v. Futrell , 2000 WL 35778240 (Pa, C. P. 2000)
Commonwealth v. Gallagher	Common Pleas					X			D		Х				Commonwealth v. Gallagher , 2005 WL 5776264 (Pa. C. P. 2005)
Commonwealth v. Garland	PA Superior Court		_	_		X			D		Х	_			Commonwealth v. Garland , 2017 WL 976046 (Pa, Super. Ct. 2017)
Commonwealth v. Garnett	PA Superior Court	The trial was held prior to Batson, claim				X			P	_			x		Commonwealth v. Garnett, 613 A.2d
Commonwealth v. Garrett	PA Superior Court	fails Prosecution made the Batson objection		_	X										569 (Pa. Super. Ct. 1992) Communicatility. Garrett, 689 A 2d
Canmanweann v. Garren	PA Superior Court	Unknown answer: Court declines to review			^	-		_					_		912 (Pa. Super. Ct. 1997) Commonwealth v. Gesualso
Commonwealth v. Gesnalso	PA Superior Court	the Batson issue due to another issue requiring a remand for a new trial			х					X					2020 WL 865113 (Pa. Super. Ct. 2016)
	-														Commonwealth v. Gibson . 20
Commonweolth v. Gibson (Demetrius)	PA Superior Court					Х			P		х		_		WL 85915 (Pa. Super. Ct. 202 a)
	-	Unknown claim: Batson mentioned in									_			_	Commonwealth v. Gibson . 2015
Commonwealth v. Gibson (Kareem)	PA Superior Court	procedural history, but doesn't dicuss the prior court's holding			x										WL 6957021 (Pa. Super. Ct. 2015)
Carrie	PA Supreme Court	Unsuccessful claim the claim was meritled	5S			x	х				X				Commonwealth v. Gibson, 688 A.2d 1152 (Pa. 1997)
(ntov = all)	PA Supreme Court					х			D		X				Commonwealth v. Gibson . 951 A.2d 1110 (Pa. 2008)
Commonwealth v. Golphin	Common Pleas					x			В		X			x	Commonwealth v. Golphin, 2007 WL 4964416 (Pa. C. P. 2007)
Company of the last	PA Superior Court	Unsuccessful claim, the claim was meritle	ss			х	x				x				Commonwealth v. Graham , 2013 WL 11253535 (Pa. Super, Ct 2013)
	PA Superior Court			_		X			P		x	_000.0			Commonwealth v. Graham . 2016 WL 379936 (Pa. Super. Ct. 2016)
Commonwealth v. Grant	PA Superior Court	Unknown claim; a footnote discusses a Batson claim, but there is no history of the													Commonwealth v. Grant , 2018 WL 2931907 (Pa Super, Ct. 2018)
Commonwealth v. Grant	FA Superior Court	PCRA opinion													Commonwealth v. Green , 529 A.2d
	PA Superior Court	Unsuccessful claim: the claim was waived				х	x					x			13 (Pa. Super. Ct. 1987) Commonwealth v. Green , 2002
Community of the	Common Pleas	The issue was already tried, barred from appealing the same issue				x	_		D				X		WL 34400778 (Pa. C. P. 2002)
Commonwealth v. Green (Gary)	Conunon Pleas					Х						х		Х	Commonwealth v. Green, 2009 WL 7752866 (Pa. C. P. 2009)
-															The second second
Commonwealth v. Gregory	Conunon Pleas	The trial court opinion doesn't explain why only mentions the claim was denied after				X			D						Commonwealth v. Gregory, 20 Phila. Co Rptr. 457 (Pa. C. P. 1990)
Commonwealth v. Griffin	PA Supreme Court	oral argument				x			Р		х				Commonwealth v. Griffin . 644 A.2d 1167 (Pa. 1994)
1/4	PA Supreme Court					x			В			х		х	Commonwealth v. Hackett , 926 A.2d 978 (Pa. 2008)
	PA Supreme Court	Unsuccessful claim: the underlying Batson claim is meritless, thus trial counsel cauncil				x	x				X			x	Commonwealth v. Hackett , 735 A,2d 688 (Pa. 1999)
tony I		be found ineffective													THE RESERVE
Into a															
	DA S C	This is explained in the procedural history							D		X	_			Commonwealth v. Hall , 2014 WL
Commonweolth v. Hall	PA Superior Court	not the opinion's discussion				X			D		X	_			10788848 (Pa. Super. Ct. 2014)

Case Name	Trial/Superior/ Notes Supreme Court	Not a <i>Batson</i> €k	Withdraw Batson clgim	result to Batson ss Batson claim Claim B	Insuece sful <i>latson</i> Haim	Appealed (meaning butson l) the case should not be counted to our total number)	Remanded Direct for new Appeal tris ("D' PCRA P", or Both (B).	Court Finding; Declined to decision on Discuss the Issue		Finding: Waived		Citatiun
ommonvealth v. Hamilton Dagnan)	PA Superior Court				х		D		X			Commonwealth v. Hamilton, 2018 WL 4443063 (Pa. Super. Ct. 2018)
Commonwealth v. Hamilton Theodore)	Common Pleas				x		P		х			Commonwealth v. Hamilton , 2006 WL 5429625 (Pa. C. P. 2006)
ommonwealth v. Hanible	PA Supreme Court				х		P		х			Continonwealth v. Hanible , 30 A.36 426 (Pa. 2011)
t tillian	PA Supreme Court Unsuccessful claim: the claim was me	ritless			x	х			Х			Commonwealth v. Hardcastle, 546 A.2d 1101 (Pa. 1988) Commonwealth v. Hardcastle, 701
	PA Supreme Court				х		D		Х			A.2d 541 (Pa. 1997) Commonwealth v. Harinarain , 2014
ommonwealth v. Harinarain	PA Superior Court				х		В		Х		Х	WL 10917001 (Pa. Super, Ct. 2014) Commonwealth v. Harris . 817 A.2c
omuonwealth v. Harris Francis)	PA Supreme Court				X		D		X	_		1033 (Pa. 2002)
ommonwealth v. Harris (Victor)	PA Superior Court	_			х		D			х		Commonwealth v. Horris, 2015 WI 7722318 (Pa. Super. Ct. 2015)
ommonwealth v. Hort	Common Pleas				X		D		х			Commonwealth v. Hart . 17 Pa. D. & C. 5th 389 (Pa. C. P. 2010)
ommonwealth v. Harvey	PA Superior Court				X		D		х			Commonwealth v. Harvey , 2013 WL 11276240 (Pa. Super. Ct. 2013
ommonwealth v. Haynes	Common Pleas The issue was already tried, barred from appealing the same issue	m			х		Р				x x	Commonwealth v. Haynes , 2006 WL 5429140 (Pa. C. P. 2006)
Commonwealth v. Henderson	Common Pleas				X		D		х			Commonwealth v. Henderson , 200' WL 5194170 (Pa. C. P. 2007)
ommonweolth v. Hill (Donnetta)	PA Supreme Court not the opinion's discussion	lory,					P		х			Commonwealth v. IIIII. 16 A.3d 48 (Pa. 2011)
илто	PA Superior Court	-		х				x				Commonwealth v. Hill , 727 A, 2d 5 (Pa. Super, Ct. 1999)
	Common Pleas Successful claim			х		x		х				Commonwealth v. Hill., 35 Phila, C Rptr. 6 (Pa. C. P. 1998)
Commonwealth v. Holland	PA Superior Court				х		D		X			Commonwealth v. Holland, 2017 WL 764517 (Pa. Super. Ct. 2017)
Commonwealth v. Holioway	PA Supreme Court				x		В		x		x	Commonwealth v. Holloway, 739 A.2d 1039 (Pa. 1999)
Commonwealth v. Holly	PA Superior Court				х		D		X			Commonwealth v. Holly, 2015 WI 8484980 (Pa. Super. Ct. 2015)
Commonwealth v. Holmes Karim)	PA Superior Court				х		D			x		Commonwealth v. Holmes , 2017 V 6330696 (Pa. Super, Ct. 2017)
Commonwealth v. Holmes (Kyle)	Common Pleas				X		D		X			Commonwealth v. Holmes , 2007 V 5004352 (Pa. C. P 2007)
Cammonwealth v. Hornc	PA Supreme Court			x				x				Comm v v alth v trant v . 635 A 2d 1033 (Pa. 1994)
Commonwealth v. Hornezes	Unknown claim: Batson mentioned it procedural history, but final decision unknown			х								Commonweolth v. Hornezes , 2002 WL 34401663 (Pa. C. P. 200)
-	- Charles											
Commonwealth v. Hupperterz	PA Superior Court				х		D		Х			Commonwealth v. Hupperterz. 242 A 3d 410 (Table) (Pa. Super. C 2020)
Commonwealth v. Hutchinson	PA Supreme Court		_		Х		P		X			Commonwealth v. Hutchinson , 25 A.3d 277 (Pa. 2011)
Commonwealth v. Jackson	- Chapter Sec.											Commonwealth v. Jackson . 2014
Edmond) Commonwealth v. Jackson	PA Superior Court				X		P		X			WL 10979627 (Pa. Super. Ct. 201- Commonwealth v. Jackson, 562 A
Edward) Commonwealth v. Jackson	PA Superior Court				X		D		X			338 (Pa. Super, Ct. 1989) Commonwealth v. Jackson, 561 A.
Lawrence) Commonwealth v. Jackson	PA Superior Court				х		D		x			335 (Pa. Super. Ct. 1989) Commonwealth v. Jackson , 2008
Ronsean)	Conunon Pleas	_			X		D		X			WL 7279969 (Pa. C. P. 2008) Commonwealth v. James . 2017
Commonwealth v. James	PA Superior Court				X		P D		Х		_	WL 1018538 (Pa. Super. Ct. 2017) Commonwealth v. Jeffcoat-Parker 2019 WL 3231251 (Pa. Super. Ct.
Commonwealth v. Jeffcoat-Parke	r PA Superior Court				X		D			Х		2019 WE 3251251 (Pa. Super. Ct. 2019)

Case Name	Trial/Superior/ Supreme Court	Notes	Not a <i>Butson</i> C laii	Withdrawi Batsan elgin	n Unknown Successfu result to Batson Batson claim Claim	Unsuce ssful Rusun Claim	e Appealed (meaning the case should not be counted to our total number)		r Remander for new trial	I Direct Appe. (D"). PCRA ("P-). or Both (B "	Court Finding; Declined in decision on Discuss the the merits Issue	Finding: meritless elaim	Finding: Waived			Citailm
Commonw ea lth v. Johnson (David)	PA Superior Court	The trial was held prior to Balson, claim faits				x				P				х		Commonwealth v. Johnson , 945 A.2d 185 (Pa. Super, Ct. 2008)
Commonwealth v. Johnson (Glen)	Common Pleas					х				D		x				Commonwealth v. Johnson , 34 Phila. Co. Rptr. 506 (Pa. C. P. 1997)
£17ml	PA Superior Court	Unsuccessful claim: the claim was waived NOTE: BAD LAW-FIND ANY FURTHER CASES FOR THIS														Commonwealm v. Johnson, 814 A.2d 136 (Pa. Super. Ct. 2003)
	Common Pleas	FURTHER CASES FOR THIS				х				P		X				Commonwealth v. Johnson , 2003 WL 25972055 (Pa. C. P. 2003)
Commonwealth v. Jahnson (R.C.)	PA Superior Court					x				D			x			Commonwealth v. Johnson . 534 A.2d 511 (Pa. Super. Ct. 1987)
Commonwealth v. Johnson William)	PA Supreme Court					х				P		x				Commonwealth v. Johnson . 139 A.3d 1257 (Pa. 2016)
1 1	PA Supreme Court	Unsuccessful claim: the claim was waived				x						w.	x			Commonwealth v. Johnson, 668 A.2d 97 (Pa. 1995)
Commonwealth v. Jones (Aaron)	PA Supreme Court					х				D		х				Commonwealth v. Jones 668 A.2d 491 (Pa. 1995)
Commonwealth v. Jones (Carlos)	PA Superior Court			_	x x			х								11757 The Pa. Super. Ct. 2013)
Commonwealth v. Jones (Carslie)	PA Superior Court					X				D				X		Commonwealth v. Jones , 2015 WL 6666221 (Pa. Super. Ct 2015)
highly the	PA Supreme Court					х				D		х				Commonwealth v. Jones. 580 A.2d 308 (Pa. 1990) Commonwealth v. Jones. 543 A.2d
() 1 , AH	PA Superior Court	Overruled by Commonwealth v. Jones of Commonwealth's appeal Successful claim	л		X		х									579 (Pa. Super. Ct. 1988)
m-()	PA Supreme Court	Unsuccessful claim: the PCRA court erred				x	x									Commonwealth v. Jones , 802 A.2d 1232 (Pa. 2002)
(PA Supreme Court	The issue was already tried, barred from appealing the same issue				Х				P				X	X	Commonwealth v. Jones , 912 A.2d 268 (Pa. 2006) Commonwealth v. Jones , 2006 WL
Commonwealth v. Jones (Explinia)	Common Pleas					X				P					X	5429067 (Pa. C. P. 2006) Commonwealth v. Jones, 951 A.2d
Ich (lgnn)	PA Supreme Court					X				В		X	_		x	294 (Pa. 2008) Commonwealth v. Jones . 876 A.2d
0h (=115=1	PA Supreme Court	Successful claim			X		Х	x			X					380 (Pa. 2005) Commonwealth v. Jordan . 2018
Commonwealth v. Jordan	PA Superior Court					Х				D		X				WL 1789811 (Pa Super. Ct. 2018)
Commonwealth v. Kebede	PA Superior Court		_	_		X				P		X				Commonwealth v. Kebede , 2015 WL 7575706 (Pa, Super, Ct. 2015)
Commonwealth v. Kendricks	PA Superior Court			_		X		:		P		x				Commonwealth v. Kendricks, 2016 WL 3034749 (Pa Super, Ct. 2016)
Commonwealth v. Kennedy (Andrew)	Common Pleas					X				D		х				Commonwealth v. Kennetly , 2004 WL 5388352 (Pa. C. P. 2004)
Commonwealth v. Kennedy (Christopher)	PA Superior Court					X				P		x				Commonwealth v. Kennedy. 237 A.3d 1081 (Pa. Super Ct. 2020)
Commonwealth v. Keys	PA Superior Court	The appellant brought a different claim und a Batson claim	ler			X		ī		Р				Х		Commonwealth v. Keys , 2014 WL 10889705 (Pa. Super. Ct. 2014)
	H-															Control of the Control
Commonwealth v. Lambert	PA Supreme Court	Harris Clabin de la				X				D		х				Commonwealth v. Lambert , 603 A 2d 568 (Pa. 1992) Commonwealth v. Langerston , 2007
	Conunon Pleas	Unsuccessful claim; the claim was waived				x	X						х			WL 5004339 (Pa C. P. 2007) Commonwealth v. Langerston.
	Common Pleas					х				P		x				2008 WL 7242036 (Pa. C. P. 2008) Commonwealth v. Lark, 746 A.2d
	PA Supreme Court	Unsuccessful claim: the underlying Batson claim is meritless, thus trial counsel cannot be found ineffective				х	x					х				585 (Pa. 2000)
	PA Superior Court	Note: this is a successful claim in E.D.Pa			x											Commonwealth v. Lork , 2019 WL 3917390 (Pa. Super. Ct. 2019)
Commonwealth v. Lau	Conunon Pleas					х				D		х				Commonwealth v. Lau , 2012 WL 7655397 (Pa C. P. 2012)
Commonwealth v. Lee	PA Superior Court					X				D			x			Commonwealth v. Lee , 2020 WL 1042638 (Pa. Super. Ct. 2020)

Case Name	Trial/Superior/ Supreme Court	Nutes	Noi a <i>Batsoi</i> Clai	i Withdrawn Butson Cham	Unknown Successfuresult to Batson Batson claim Claim	Unsucce ssful Barson Claim	e Appealed (meaning the case should not be counted to uur lotal number)	Remanded fo Butson 1 evidentiary hearing	r Remander for new trial	Appeal D), PCRA ("P"), or Both ("B")?	Court Fin ag: Declined to decision on Discuss the the merits Issue	Finding: meritless claim	Finding: Waiyed		Citation
Commonwealth v. Lewis (Reginald)	PA Supreme Court	This is discussed in footnote 3				х				D			х		Commonwealth v. Lewis . 567 A.2d 1376 (Pa. 1989)
Commonwealth v. Ligons	PA Supreme Court					Х				В			x	х	Commonwealth v. Ligons , 971 A.2d 1125 (Pa. 2009)
															Telephone Con-
Commonwealth v. Llayd	PA Superior Court					х				D		х			Commonwealth v. Lloyd . 545 A.2d 890 (Pa. Super. Ct. 1988)
Commonwealth v. Lonch Jeronie), No. 23680-1988	PA Superior Court					x				P				х	Commonwealth v. Loach, 2015 WL 8550372 (Pa. Super. C. 2015)
Commonwealth v. Loach Jeronie), No. 6738-2010	PA Superior Court					x				D		x			Commonwealth v. Loach , 2013 WL 11273268 (Pa. Super, Ct. 2013)
Commonwealth v. Long	PA Superior Court					x				D		X			Commonwealth v. Long . 532 A.2d 853 (Pa. Super. Ct. 1987)
Commonwealth v. Lopez (Jose)	PA Superior Court					X				P		X			Commonwealth v. Lopez , 2015 WL
Commonwealth v. Lovejoy	Common Pleas				x										6689486 (Pa. Super. Ct. 2015) Commonwalth v. Lovejay , 2005 WI 5809091 (Pa. C. P. 2005)
-	Transferred														
Commonwealth v. Marrero	Common Pleas					х				D		X			Commonwealth v. Marrero . 2004 WL 5388399 (Pa. C. P. 2004)
Commonwealth v. Marshall (Jerome)	PA Supreme Court					х				D			х		Commonwealth v. Marshall , 947 A.2d 714 (Pa. 2008)
Commonwealth v. Marshall Jerry)	PA Supreme Court					· x	1			P		x			Commonwealth v. Marshall , 810 A.2d 1211 (Pa, 2002)
Commonwealth v. Mason (Andre)	Conunon Pleas					x				D		X			Commonwealth v. Mason , 2008 WL 7638197 (Pa. C. P. 2008)
Commonwealth v. Mason Lenvood)	PA Superior Court	A prior PCRA petition by this defendant denied a Batson claim; unaware of the basi	-			х				P					Commonwealth v. Mason , 130 A.3d 601 (Pa. 2015)
1 1 - 4 - 11 1 - 1	PA Superior Court	Unknown answer: Court declines to review the Batson issue due to another issue requiring a remand Note; was a successful claim at the lower court			х						x				Commonwealth v. Matthews, 2015 WL 7260349 (Pa. Super. Ct. 2015)
	Common Pleas	Successful claim NOTE: has been appealled, but issue was not addressed			x		x								Commonwealth v. Matthews . 2013 WL 10253081 (Pa. C. P. 2013)
Commonwealth v. Maxwell	PA Superior Court					х				P				х	Commonwealth v. Maxwell . 232 A.3d 739 (Pa Super. Ct. 2020)
Communwealth v. Mayhew	Conunon Pleas					х				D		x			Commonwealth v. Mayhew, 1997 WL 34659141 (Pa. C. P. 1997)
THE RESERVE	PA Superior Court					x				D			х		Commonwealth v. McCallister . 2014 WL 10802720 (Pa. Super. Ct. 2014)
(1)	Common Pleas	Unsuccessful claim: the claim was merities	S			х	x						x		Communwealth v. McCallister, 2014 WL 6819471 (Pa. C. P. 2014)
Commonwealth v. McCaskill	PA Superior Court					х				D		X			Commonwealth v. McCaskill . 2017 WL 2791143 (Pa. 2017)
Commonvealth v. McCormick	PA Superior Court				х			X							Commonwe 4th 1. fel namek. 519 A.2d 442 (Pa. Super Ct. 1986)
Commonwealth v. McCracken	Common Pleas					x				D		х			Commonwealth v. McCrackey . 2012 WL 9515401 (Pa. C. P. 2012)
Commonwealth v. McCrae	PA Superior Court	Court declines to discuss the issue due to inappropriate forum				x				D				x	Commonwealth v. Alc Crae. 2016 WL 5266557 (Pa. Super. Ct. 2016)
Commonwealth v. McCurdy	Common Pleas					х				Р				х	Commonwealth v. McCurdy . 2005 WL 5873638 (Pa. C. P. 2005)
Commonwealth v. McDonald	PA Superior Court					x				D			х		Commonwealth v. AlcDonald, 2017 WL 4457295 (Pa. Super. Ct. 2017)
Commonwealth v. McDowell	Conunon Pleas					X				D		x			Commonwealth v. McDowell , 2003 WL 25711449 (Pa. C. P. 2003)
Commonwealth v. McFarlin	Common Pleas					X				D		Х			Commonwealth v. McFarlm , 2002 WL 34401120 (Pa. C. P. 2002)
Commonwealth v. McGill	Common Pleas					X				P		X			Commonwealth v. McGill . 2002 WL 34400890 (Pa. C. P. 2002)
Commonwealth v. McKendrick	PA Superior Court					X				D		x			Commonwealth v. McKendrick . 514 A.2d 144 (Pa. Super. Ct. 1986)

Case Name	Triat / Superior / Supreme Court	Notes	Not a <i>Batson</i> etaim	Withdrawn Butson claim	Unknown result to Baison clain	Baixon	Unsucce sgful Batson Claim	c Appealed (meaning the case should not be counted to our total number)	Remanded for Butson I evidentiary hearing	r Remander for new trial	Direct Appeal PCRA P" or Both B')?		Finding: decision on the merits		Finding: Waived		Citation
Commonwealth v. McKnight	PA Superior Court					х			x								Commonwealth v. AlcKnight , 2014 WL 10558199 (Pa. Super, Ct. 2014)
	PA Superior Court	Prosecution made the Batson objection				7											Commonwealth v. hlcNatt., 2014 WL 10558709 (Pa. Super, CL 2014)
-	Common Pleas	Successful claim: prosection brought				х		х									Commonwealth v. McNatt , 2014 WL 6402021 (Pa. C. P. 2014)
Commonwealth v. McNeil	PA Supreme Court						X	-			P			x			Commonwealth v. McNeil . 679 A.2d 1253 (Pa. 1996)
(Christopher) Commonwealth v. McNeil (Kerry)							X				P					x	Commonwealth v. McNeil , 2016 WL 5886495 (Pa. Super. Ct 2016)
Parametria (Inc.)	-	The second second							_			\rightarrow	_				3880493 (1 a. Super. Cr 2010)
Commonwealth v. Medina	Common Pleas		_				X				D			х			Commonwealth v. Medina , 2006 WL 5429062 (Pa. C. P. 2006)
(Authony) Commonwealth v. Medina	Common Pleas						×				D			Х			Commonwealth v. Medina , 2004
(Christian)										_							WL 5393577 (Pa. C. P. 2004) Commonwealth v. Mejia-Matos.
Commonwealth v. Mejil-Matos	PA Superior Court						X				D		_	х			2014 WL 10937114 (Pa. Super. Ct. 2014)
Commonwealth v. Melson	PA Superior Court						Х				D	_		Х			Commonwealth v. Melson, 637 A.2d 633 (Pa. Super. Ct. 1994)
Commonwealth v. Miller	PA Superior Court		_	X			_	_		_			_	_	_		Commonwealth v. Miller , 2013 WL
(Hayward) Commonwealth v. Miller	PA Superior Court						х	_	_		D			X			11262999 (Pa. Super. Ct. 2013) Commonwealth v. Miller, 2016 WL
(Jermaine) Commonwealth v. Miller	PA Superior Court						x				D		_	х			4945496 (Pa. Super. Ct. 2016) Commonwealth v. Afiller , 721 A,2d
(Sabrina)	PA Superior Court						x				D			x	х		1121 (Pa. Super. Ct. 1998) Commonwealth v. Mills, 2020 WL
0								X				X	_	Α			1490949 (Pa. Super, Ct. 2020) Commonwealth v. Mills , 2019 WL
Conmann W. Shi e	PA Superior Court							X				X				=	5491358 (Pa. Super Ct. 2019) Commonwealth v. Mitchell , 2008
Commonwealth v. Mitchell	Common Pleas						X				D	7		X			WL 8115494 (Pa. C. P. 2008) Commonwealth v. Monroe . 542 A.2d
Commonwealth v. Monroe	PA Superior Court						X				D			Х			113 (Pa. Super. Ct. 1988) Commonwealth v. Moore , 2005 WL
Commonwealth v. Moore	Conunon Pleas						Х				D			X		_	6067702 (Pa. C. P. 2005) Commonwealth v. Morris, 1993 WL
Commonwealth v. Morris	Common Pleas						X				P			X			13652228 (Pa. C. P. 1993)
Commonwealth v. Muhammed	PA Superior Court						x				D			х			Commonwealth v. Muhammed . 2019 WL 2432100 (Pa. Super. Ct. 2019)
Commonwealth v. Myrick	Common Pleas						x				D			x			Commonwealth v. Myrick , 2001 WL 36125301 (Pa. C. P. 2001)
Commonwealth v. Neal	PA Superior Court						Х				P	x		X			Commonwealth v. Neal, 2016 IVL 5852160 (Pa. Super. Ct. 2016)
Commonwealth v. Oke	PA Superior Court						х				D			Х			Commonwealth v. Oke , 2014 WL 10558734 (Pa. Super, Ct. 2014)
Commonwealth v. Oliver	Conunon Pleas						Х				D			X			Commonwealth v. Oliver . 2014 WL 6391093 (Pa. C. P. 2014)
Commonwealth v. Ollie	PA Superior Court						X				D				х		Commonwealth v. Ollie , 2013 WL 11250779 (Pa, Super. Ct. 2013)
Commonwealth v. Ortiz	PA Superior Court			x													Commonwealth v. Orttz., 241 A.3d 368 (Pa. Super. Ct. 2020)
	Complete Complete	-	-														The state of the s
Commonwealth v. Patterson	Common Pleas						X				D			X			Commonwealth v. Patterson , 2004 WL 5547595 (Pa. C. P. 2004)
Comnonwealth v. Perez (Francisco)	Common Pleas					х			_				х				Commonwealth v. Perez . 8 Pa. D. & C. 4th 443 (Pa. C. P. 1990)
[Francisco)	Trial Street																The second second
Commonwealth v. Perez-Labour	Common Pleas						х				D			х	х		Commonwealth v. Perez-Labour . 2006 WL 5430474 (Pa. C. P. 2006)

Case Name	Trial/Superior/ N Supreme Court	intes	Not a <i>Batson</i> claim	Withdraw <i>Butson</i> cl _{លិ} កា	n Unknuwn result to Batson clair	Successful Batsm on Claim	Unsucce ssful Butson Claim	Appealed (meaning the case should not be counted to our total number)		Remander for new trial	Appe ("D" PCRA ("P") or Both ("B" ?	Finding: decision on the merits		Finding: Waived	Findings Findings Inappropriate waived use of Batson during claim PRCA	Citation
Commonwealth v. Perrin	PA Superior Court						x				Р		х		x	Commonwealth v. Perrin , 947 A.2d 1284 (Pa. Super. Ct. 2008)
Commonwealth v. Philistm	PA Supreme Court						x				D		X	х		Commonwealth v. Philistin , 774 A.2d 741 (Pa. 2001)
T T T	PA Superior Court					_	х				D		х			Commonwealth v. Phillips , 2017 WL 5509893 (Pa. Super, Ct. 2017)
(- 10 5)///	Common Pleas	Insuccessful claim: the claim was meritless					x	x					х			Commonwealth v. Phillips , 2017 WL 10311400 (Pa C. P. 2017)
Commonwealth v. Phillips (Jerry)	PA Superior Court						х				D		X			Commonwealth v. Phillips, 601 A.2d 816 (Pa. Super. Ct. 1992) Commonwealth v. Porter, 728 A.2d
Commonwealth v. Porter	PA Supreme Court						х				Р		х		X	890 (Pa. 1999) Commonwealth v. Proctor, 737 A.2d
Commonwealth v. Proctor	PA Supreme Court						х				P		X	_		724 (Pa. 1999)
Commonwealth v. Profic	Common Pleas						X				D		X			Commonwealth v. Profic, 2005 WL 6067808 (Pa. C. P. 2005)
h R	O Company		1													000 4.01
**************************************	PA Supreme Court						х				D			Х	x	Commonweolth v. Rainey , 928 A.2d 215 (Pa. 2007)
Commonwealth v. Rankins	PA Superior Court				_		х				D		X	x		Commonwealth v. Rankins , 2016 WL 5865066 (Pa. Super, Ct. 2016)
Commonwealth v. Ray	Common Pleas						х				Р		x			Commonwealth v. Ray., 2004 WL 5541142 (Pa. C. P. 2004)
0,1-116	PA Supreme Court	Same case as the other Reid, but this is impreme Court No. 563) Justicessful claim: PCRA review, finds no tror in PCRA's decision to deny a request or discovery, etc. on a Basson claim. Also					х						х			Commonwealth v. Reid., 99 A.3d 470 (Pa. 2014)
$Com_{P_{i}} \circ = -i - 1 - , \qquad p_{i,i}$	DA Suprana Court	inds the claim itself is meritless. Same case as the other Reid, but this is supreme Court No. 564) Insuccessful claim: the claim was meritless					x								x	Communwealth v. Reid, 99 A.3d 427 (Pa. 2014)
Popular the Rent The	Common Pleas	Insuccessful claim: the claim was meritless					x	x				 				Commonwealth v. Reid, 1993 WL 1156018 (Pa. C. P. 1993)
rum i	PA Supreme Court						х				D			х		Commonwealth v. Reid . 235 A.3d 1124 (Pa. 2020)
t en have is	PA Supreme Court		-	-	_		X	_	_		D		X			Commonwealth v. Rico , 711 A.2d 990 (Pa. 1998)
$t = -m = -h e^{-t} = e^{t}$	PA Superior Court	BAD LAW-reversed on appeal by Commonwealth v. Rico , 711 A 2d 990 (Pa 1998)						х								Commonwealth v. Rico , 662 A.2d 1076 (Pa. Super. Ct. 1995)
	in particular in															Marine 110
Commonwealth v. Rivera (Alex)	Common Pleas	Prosecution made the Batson objection				X										Commonwealth v. Rivera , 2007 WL 5581303 (Pa. C. P. 2007)
Commonwealth v. Rivera (William)	PA Supreme Court						Х				P		х			Commonwealth v. Rivera, 119 A.3d 365 (Pa. 2018)
Commonwealth v. Roane	PA Superior Court						x				D		Х			Commonwealth v. Roane , 142 A.3d 79 (Pa. Super, Ct. 2016)
Commonwealth v. Rogers	PA Superior Court										D		Х			Commonwealth v. Rogers . 2017 WL 465327 (Pa. Super. Ct. 2017)
	PA Supreme Court	Unsuccessful claim: the underlying Batson claim is meritless, thus trial counsel cannot be found in fiftentian.					X	x					x			Commonwealth v. Rollins . 738 A.2d 435 (Pa. 1999)
-	PA Superior Court	pe found ineffective					x				P				х	Commonwealth v. Rollins , 2019 WL 3731902 (Pa. Super, Ct. 2019)
Commonwealth v. Roney	PA Supreme Court						×				р		X			Commonwealth v. Rooney , 79 A.3d 595 (Pa. 2013)
Commonwealth v. Rouse	Conunon Pleas						x		-		D		X			Commonwealth v. Rouse , 2010 WL 8334939 (Pa. C. P. 2010)

Case Name	Trial / Superior / Notes Supreme Court	Not a <i>Butsor</i> el =	Withdrawn Balson claim	Unknown Successful result to Batson Batson claim Claim	Unsuce ssful Batson Claim	e Appealed (meaning the case should not the counted to our total number)		Remanded for new trial	Direct Appeal ("D). PCRA ("P'), or Both B)?	Court Finding: Declined to decision on Discuss the the merits Issue			Finding: Inappropriate use of Butson claim		Citation
Commonwealth v. Rush	PA Supreme Court				x				Р		x				Commonwealth v. Rush , 646 A.2d 557 (Pa. 1994)
the Control	The last Vision	100	_												
Commonwealth v. Sanche:	PA Supreme Court				x				D		x				Commonwealth v. Sanchez , 36 A.3d
															24 (Pa. 2011) Commonwealth v. Sanders , 2005
Commonwealth v. Sanders	Common Pleas				х		_		D		X			_	WL 6066837 (Pa. C. P. 2005) Commonwealth v. Santana , 2014
Commonwealth v. Santana	PA Superior Court			-	Х		_		D		X			_	WL 10965769 (Pa. Super. Ch. 2014)
Commonwealth v. Saunders	PA Superior Court	_	_	_	x				D		x				Commonwealth v. Säimders . 946 A.2d 776 (Pa. Super. Ct. 2008)
	Unsuccessful claim: the claim was waived				x	x					_			x	Commonwealth v. Savage , 2014 WL 10919342 (Pa. Super. Ct 2014)
						_			P		x	2		X	Commonwealth v. Savage , 2018
1-1-9	PA Superior Court				х										WL 6073766 (Pa. Super. CL 2018) Commonwealth v. Scott., 212 A,3d
Commonwealth v. Scott	PA Superior Court				х				D		X				1094 (Pa. Super. Ct. 2019) Commonwealth v. Scott . 2009 WL
Commonwealth v. Scott (Dawnd)	Common Pleas				X				D		x				7228519 (Pa. C. P. 2009)
Commonwealth v. Sepulveda	PA Supreme Court				x				P		х				Commonwealth v. Sepulveda , 55 A.36 1108 (Pa. 2012)
Commonwealth v. Shannon	Common Pleas A Batson claim does not cover age discrimination				x				D		x		x		Commonwealth v. Shannon, 2012 WL 7688025 (Pa. C. P. 2012)
Commonwealth v. Shelton	PA Superior Court				Х				D		x				Commonwealth v. Shelton , 240 A.3d 921 (Table) (Pa. Super. Ct. 2020)
	PA Supreme Court Note: W.D.Pa granted petition for Habeas Corpus relief in 2005				x	x					x				Commonwealth v. Simmon 662 A.2d 621 (Pa. 1995) Commonwealth v. Simmons .
(- , , , , , , , , , , , , , , , , , ,	PA Supreme Court				х				D		х				804 A.2d 625 (Pa. 2001)
- T- (-)	PA Supreme Court Unsuccessful claim: the claim was mentles	is													Commonwealth v. Simmons . 786 A.2d 943 (Pa. 2001)
(e m = - 1 = - 1 = - 1	Common Pleas Unsuccessful claim: the claim was meritles	is -			x						х				Commonwealth v. Simmons , 2013 WL 10572523 (Pa. C. P 2013)
	Common Pleas				X				D		x				Commonwealth v. Simmons, 2013 WL 10595630 (Pa. C. P. 2013)
Commonwealth v. Simmons (Laneill)	PA Superior Court				х				D			x			Commonwealth v. Simmons, 2018 WL 3827278 (Pa. Super, Ct. 2018)
Commonvealth v. Simpson	PA Supreme Court				x				P		x				Commonwealth v. Simpson, 66 A.3d 253 (Pa. 2013)
Commonwealth v. Sistrunk (Edward)	PA Superior Court				X				Р		x				Commonwealth v. Sistrunk , 2016 WL 6198035 (Pa. Super. CL 2016)
- h - h	PA Superior Court				x				P				x	х	Commonwealth v. Sistrunk, 2019 WL 4880959 (Pa. Super, Ct. 2019)
100-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1	Common Pleas Unsuccessful claim: the claim was meritles	SS			х						X				Commonwealth v. Sistrunk , 2015 WL 13122284 (Pa. C. P. 2015)
	(Operator)														Commonwealth v. Smith , 650 A,2d
Commonwealth v. Smith (Clifford)					x				P		X				863 (Pa. 1994) Commonwealth v. Smith . 2013 WL
	PA Superior Court				х				P		х				11254782 (Pa. Super, Ct. 2013) Commonwealth v. Smith , 2012 WL
* inmen (3	Common Pleas Unsuccessful claim: the claim was merides	is			х	х					х				9515114 (Pa. C. P. 2012)
in T	PA Superior Court				x				В			Х		X	Commonwealth v. Smith , 2017 WL 5483253 (Pa. Super. Ct. 2017)
	C. Barriellon														Commonwealth v. Smith , 17 A.3d 87
Commonwealth v. Smith (James)	PA Supreme Court				Х				P		X	х		X	(Pa. 2011)
Commonwealth v. Smith (Michae)					x				D		x				Commonwealth v. Smith. 866 A.2d 1138 (Pa. Super. Ct. 2005)

ase Name	Trial/Superior/ No Supreme Court	ntes	Not a <i>Batson</i> elapn	Withdrawn Batson el m		Successful Baison Claim	Unsucce ssful Batson Claim	Appealed (meaning the case should not be counted to our total number)	Remanded for Batson 1 evidentiary hearing	Remanded for new trial	Direct Appe 1 ("D . PCRA ("P" or Both (" \$")?		Finding: decision on the merits	meritless	Finding: Waived	Finding: Interprepriatuse of Batsan claim	Finding: e waived during PRCA	Citation
Commonwealth v. Smith (Wayne)	Common Pleas						X				D			X				Commonwealth v. Smith , 2013 WL 12385058 (Pa. C. P. 2013)
ommonwealth v. Smith	PA Superior Court				×							x						Commonwealth v. Smith , 2015 WL
Wilfredo)	Δ	prior PCRA petition by this defendant					X		_		P				_			6956600 (Pa. Super. Ct. 2015) Commonwealth v. Smith . 2013 WL
Commonwealth v. Smith (Willie)		enied a Batson claim; unaware of the basis	1				Х											11259315 (Pa. Super, Ct. 2013) Commonwealth v. Smulsky, 609 A.2d
Commonwealth v. Smitlsky	PA Superior Court						х				D			X				843 (Pa. Super. Ct. 1992)
	PA Supreme Court ap	ourt finds the PCRA court incorrectly					X				P							Commonwealth v. Sneed. 899 A.2d 1067 (Pa. 2006)
	Common Pleas	insuccessful claim: the claim was meritless					х	X	-					x				Commonwealth v. Sneed , 2007 WL 6895483 (Pa. C. P. 2007)
Comments of Controls							x				P						X	Commonwealth v. Speight , 986 A.2d
Commonwealth v. Speight	PA Supreme Court						Х		_									759 (Pa. 2009) Commonwealth v. Spell . 2016 WL
Commonwealth v. Spell	PA Superior Court						X				P			X				5938503 (Pa. Super. Ct. 2016) Commonwealth v. Spence . 627 A.2d
Commonwealth v. Spence	PA Supreme Court						X				D				x			1176 (Pa. 1993)
Commonwealth v. Spotz	PA Supreme Court						X				P			x				Commonwealth v. Spotz , 896 A.2d 1191 (Pa. 2006)
Commonwealth v. Spurgeon	PA Superior Court						X				D			х				Commonwealth v. Spurgeon , 2015 WL 6132666 (Pa. Super. Ct. 2015)
								_	_									W.E. 8132000 (Pa. Super. Ct. 2013)
			-	_	_		_	_	_			_	_	v.	_	_	_	Commonwealth v. Standford . 2018
Commonwealth v. Stanford	PA Superior Court	1 200 1 11 1 11 10 1					X				D	_		X				WL 6818622 (Pa. Super, Ct. 2018) Commonwealth v. Stanley , 2018 WL
Commonwealth v. Stanley	PA Superior Court do	prior PCRA petition by this defendant enied a Batson claim; unaware of the basis	5				X				P							1465454 (Pa. Super. Ct. 2018)
																		NAME AND ADDRESS OF THE OWNER, TH
uj 1	PA Superior Court	Insuccessful claim, the claim was meritless	S				X							x				Commonwealth v. Stern , 573 A.2d 1132 (Pa. Super, Ct. 1990)
	Common Pleas		_				x				P			X				Commonwealth v. Stern , 2007 WL
til Gell					_						P						x	4964417 (Pa. C. P. 2007) Commonwealth v. Stidham, 2003 WL
Cammonwealth v. Stidham	Common Pleas	rosecution made the Batson objection			-		X	-				-		_				25711095 (Pa. C. P. 2003) Commonwealth v. Stone , 2018 WL
Opposite the second	7) PA Superior Court					X												2769052 (Pa. Super Ct. 2018)
"m" in the second of the secon	Common Pleas	uccessful claim				x		х										Commonwealth v. Stone , 2017 WL 10187732 (Pa. C. P. 2017)
	Distance of the last of the la		- 4															
Cammonwealth v. Taylor (Gustu:	s) PA Superior Court						х				P	×					x	Commonwealth v. Taylor, 2018 WL 5629910 (Pa. Super, Ct. 2018)
						-												3029910 (1 a. Super. Cr. 2010)
	Ir	nappropriate use of the Batson rule as													_			Commonwealth v. Terry 521 A.2d
Commonwealth v. Terry	PA Supreme Court D	Defendant is attacking array of venire not					X				D					X		398 (Pa. 1987)
Commonwealth v. Thoman	PA Superior Court	he peremptory challenges used					Х				D				х			Commonwealth v. Thoman , 2019 WL
Commonwealth v. Thomas	•		_				x				P					X		336172 (Pa. Super. Ct. 2019) Commonwealth v. Thomas, 2020 WL
Duane)	PA Superior Court		_	_			х									X		33250 (Pa. Super. Ct. 2020) Commonwealth v. Thomas , 717 A.2d
Commonwealth v. Thomas Frederick)	PA Supreme Court						x				D			X				468 (Pa. 1998) Commonwealth v. Thomas , 44 A.3d
Commonwealth v. Thomas (Lero	v) PA Supreme Court																	12 (Pa 2012)
Commonwealth v. Thomas Richard)	PCRA						x				P			X				Cammonwealth v. Thomas . 2002 WL 34401698 (Pa. C. P. 2002)
Commonwealth v. Thompson	PA Superior Court						x				D			X	x			Commonwealth v. Thompson , 2016
Buckley) Commonwealth v. Thompson											D			X				WL 5865006 (Pa. Super. Ct. 2016) Commonwealth v. Thompson , 2014
	PA Superior Court						х				D			X				WL 10936776 (Pa. Super, Ct. 2014) Commonwealth v. Thompson, 2014
Chapel)	-	This is the longer opinion of the one already																

Zase Name	Triil / Superior / Notes Supreme Court	Not a <i>Butsor</i> €hin	Withdrawe Butson Claim	t Unknown Successfu result to Batson Batson chain Chain	d Unsuce ssful Batson Claim	Appealed (meaning the case should not be counted to our tota number)		r Remaudet for new trial	Direct Appeal ("D", PCRA (P or Both ('B")	Court Finding: Declined to decision on Discoss the the merits Issue	Findt gr meritless claim		Finding: Finding: Imppropriate waived use of <i>Batson</i> claim PRCA	Citation
N/	PA Superior Court				X				D			х		Commonwealth v. Thompson, 106 A,3d 742 (Pa. Super. Ct. 2014)
Commonwealth v. Thompson Olhe)	Common Pleas				x				D		х			Commonwealth v. Thompson . 2013 WL 8563532 (Pa. C. P. 2013)
Commonwealth v. Tilley	PA Supreme Court				х				Р		х			Commonwealth v. Tilley . 780 A.2d 649 (Pa. 2001)
Commonwealth v. Tourscher	PA Superior Court			х										Commanwealth v. Tourscher . 682 A.2d 1275 (Pa. Super, Ct. 1996)
Commonwealth v. Towles	PA Supreme Court				x				D		Х			Commonwealth v. Towles, 106 A.3d 591 (Pa. 2014)
Commonwealth v. Tucker	Common Pleas				x				D		x			Commonwealth v. Tucker , 2006 WI 5430371 (Pa. C. P. 2006)
Commorwealth v. Tull	Common Pleas			x						×			-	Commonwealth v. Tull , 49 Pa. D & C 3d 305 (Pa. C P 1507)
Commonwealth v. Twilley	PA Superior Court				X				D		x			Commonwealth v. Twilley, 612 A.20 1056 (Pa. Super. Ct. 1992)
Commonwealth v. Tyler	Common Pleas				x				D		X			Commonwealth v. Tyler, III . 2007 V 6971611 (Pa. C. P. 2007)
Commonwealth v. Uderra	PA Supreme Court				×				P		X	X		Commonwealth v. Uderra .
Commonwealth v. Ulen	PA Superior Court				X				D		X			862 A.2d 74 (Pa 2004) Commonwealth v. Ulen . 607 A.2d
Commonwealth v. Vega	Common Pleas				x				D		х			779 (Pa. Super. Cl. 1992) Commonwealth v. Vega , 2006 WL 5430251 (Pa. C. P. 2006)
Commonwealth v. Vines	Common Picas				х				P		X			Commonwealth v. 1 ines., 2012 WL 8470820 (Pa. C. P. 2012)
Commonwealth v. Vivian	Common Pleas				х				Р		X			Commonwealth v. Vivian , 2007 WL 6913377 (Pa. C. P. 2007)
Tar. (ea h v 11) I	Unsuccessful claim: inappropriate use of the Common Pleas Office the claim was already litigated for FIND THE HISTORY				х								x	Commonwealth v. Waddy . 2006 WI 5429251 (Pa. C. P. 2006)
1 11 1	Conumon Pleas				x	х			D		Х			Commonwealth v. Waddy , 2002 WI 34254663 (Pa. C. P. 2002)
	Transported													Commonwealth v. Walker , 2002 W
Commonwealth v. Walker	Common Pleas				X				D		X			34401742 (Pa. C. P. 2002) Communwealth v. Ward , 2018 WL
ommonwealth v. Ward	PA Superior Court				X				D		X			6191089 (Pa. Super, Ct. 2018) Commonwealth v. Warner , 2017 W
Commonwealth v. Warner Antonio)	PA Superior Court				x				P				x	117697 (Pa. Super, Ct. 2017)
Commonwealth v. Warner Antonio)	PA Superior Court		х											Commonwealth v. Worner, 2013 W 11253756 (Pa. Super, Ct. 2013)
Commonwealth v. Washam	Common Pleas				X				D		X			Commonwealth v. Washam . 1988 V 1652873 (Pa. C. P. 1988)
Commonwealth v. Washington	PA Supreme Court				x				· P		x			Communwealth v. Washington . 927 A.2d 586 (Pa. 2007)
Commonwealth v. Watkins (Carroll)	Conunon Pleas				х				D			x		Commonwealth v. Watkins , 2007 W 5581011 (Pa. C. P. 2007)
Commonwealth v. Watkins Gerald)	PA Supreme Court				х				Р		x	Х		Commonwealth v. Watkins, 108 A.3d 692 (Pa. 2014)
Commonwealth v. Watson	PA Superior Court				X				Р		X			Commonwealth v. Watson . 2018 W 652925 (Pa. Super. Ct. 2018)
ommonwealth v. Weaver	PA Superior Court			X			x							Commonwealth v. Il'eaver , 568 A.2
Harvey) Commonwealth v. Weaver				`	_				D		v			1252 (Pa. Super. Ct. 1989) Commonwealth v. Weaver, 2006 W
Tramell)	Common Picas				X			-	D		Α.			5428896 (Pa C P. 2006) Commonwealth v. Wharton
Commonwealth v. Wharton	PA Supreme Court				Х				D			X	X	811 A.2d 978 (Pa. 2002) Commonwealth v. Wheeler.
p nonvealth v. Wheeler	PA Superior Court				X				D		Х			645 A.2d 853 (Pa. Super, Cl. 1994)
Commonwealth v. Williams Anthony)	Conunon Picas				X				D		X			Commonwealth v. Wilitams , 2003 WL 25652495 (Pa. C. P. 2003)
	The second secon													

Case Name	Trial/Superior/ Supreme Court	Notes	Not a <i>Barson</i> clam	Withdrawn Butson elgfm	n Unknown Successfuresult in Baisin Baisin Claim Claim	Unsuce soful Batson Claim	the case	Remanded for Botson / evidentiary hearing	Remanded for new trial	Direct Appeal ("D"), PCRA ("P")or Both ("B")?	Court Fig. 9 Declined to decision on Discuss the the merits Issue		Finding: Waived	Findings Findings Inappropriate waived use of <i>Batson</i> during claim PRCA	Citation
· 8	PA Supreme Court					х				D		X			Commonwealth v. Williams . 980 A.2d 510 (Pa. 2009)
(11) (12) (1) (1)	PA Supreme Court	Unknown answer: remanded to PCRA court to review the Batson/ineffective assistance of counsel claim					x								Commonwealth v. Williams . 782 A.2d 517 (Pa. 2001)
	Indiana.		-									_			Charles 1
Alterior Fig.	PA Superior Court					X				P		X			Commonwealth v. Williams , 2016 WL 1436426 (Pa. Super. Ct. 2016)
neton to the state of	C mmon Pleas	Unsuccessful claim: the underlying Batson claim is mertiless, thus trial counsel cannot be found ineffective				x	x					х			Commonwealth v. Williams , 2015 WL 10934161 (Pa. C. P. 2015)
Commonwealth v. Williams (Rahem)	PA Superior Court					х				P		х			Commonwealth v. Williams , 2016 WL 5266587 (Pa. Super. Ct. 2016)
Commonwealth v. Williams (Roy)	PA Supreme Court					х				Р		х	x		Commonwealth v. Williams . 732 A.2d 1167 (Pa. 1999)
Commonwealth v. Williams Russell)	PA Superior Court					Х			,	D			X		Commonwealth v. Williams . 528 A.2d 980 (Pn. Super. Ct. 1987)
Commonwealth v. Williams Terrance)	PA Supreme Court					Х				Р		х			Commonwealth v. Williams . 863 A.2d 505 (Pa. 2004) Commonwealth v. Wilson . 619 A.2d
Commonwealth v. Wilson Derrick)	PA Superior Court	Unknown answer, Court declines to review the Batson issue due to another issue requiring a remand			x				x		x				1063 (Pa. Super. Ct. 1992)
ommonwealth v. Wilson Harold)	PA Supreme Court	requiring a renamin				X				D		x			Commonwealth v. Wilson , 672 A.2d 293 (Pa. 1996)
iommonwealth v. Wilson Villiam)	PA Superior Court	BAD LAW—Commonwealth v. Sneed (Pa. 2006) declined to fullow, stating Wilson may have misapprobended retroactivity principles. Successful claim			х			x							Commonwealth v. Wilson , 537 A.2d 370 (Pa. Super, Ct. 1988)
Commonwealth v. Wilson Zachary)	PA Supreme Court					X	<u>E</u>			P		х			Commonwealth v. Wilson, 649 A.2d 435 (P. 1994)
ommonwealth v. Wood	PA Superior Court					X				D	x		x		Communivealili v. IPond , 2015 WL 7587269 (Pa. Super. Ct. 2015)
ommonwealth v. Woodall	PA Superior Court				x				Х		х				Commonwealth v. Woodall . 579 A 2d 948 (Pa. Super. Ct. 1990)
ommonwealth v. Wright	Conunon Picas					х				D			x		Commonwealth v. Wrig. 1, 2007 WL 5581007 (Pa. C. P. 2007)
Commonwealth v. Yelverton	Common Pleas	Prosecution made the <i>Batson</i> objection Unsuccessful claim: the claim was meritless <u>Note</u> ; negative (reatment is unrelated to the			х										omm nw alth v. Felverton , 2006 WL 5430509 (Pa. C. P. 2006) Commonwealth v. Young , 527 A.2d 1217 (Pa. 1990)
	PA Supreme Court	Batson claim				Х	X					X			
Commanwealth v. Young (Joseph)	PA Supreme Court					x				D		Х			Commonwealth v. Young, 637 A.2d 1313 (Pa. 1993)
ooper v. Franko	Common Pleas					X				D		х			Cooper v. Franko , 28 Pa. D. & C. 4th 44 (Pa. C. P. 1996)
															-
ackson v. Pumacle Health System	Common Pleas					х				D		X	х		Jackson v. Pinnacle Health System, 2005 WL 6721686 (Pa. C. P. 20050)
Neff v. Collins	Common Pleas					Х				D		х			Neff v. Collins . 2010 WL 4913549 (Pa. C. P. 2010)
·	PA Superior Court					X				D		х			Paili v. Noronlia , 2017 WL 481751 (Pa Super. CL 2017)
n Ver - C	Common Pleas	Unsuccessful claim: the claim was meritless				x					-	х			Paih v. Noronha, 2017 WL 9618766 (Pa. C. P. 2017)

Case Name	Trial / Superior / Supreme Court	Notes	Not a <i>Batsan</i> cl a im	Withdrawn Batson claim	Bats	ssful	(meaning	evidentiary hearing	Remanded for new trial	Direct Appeal ("D"). PCRA ("P" or Both "B)?	Finding: decision on the merits	meritless		Inappropriate use of Batson	Citation
Pratt v. St. Christopher's Haspital	Common Picas				x										Prott v. St. Christopher's Hospital , 34 Phila. Co. Rptr. 162 (Pn. C. P. 1997)
-															
Ra (_ma) (r Fib r D)rs Ass'															
n 18.6 2) K () (2 (()	PA Superior Court					х				D		х			Reid v. Mount Zion Church of Kensington, Inc., 2014 WL 10896890 (Pa. Super. Ct. 2014)
т. , (7 К	Common Pleas	Unsuccessful claim: the claim was waived				х	х						х		Reid v. Mount Zion Church of Kensington, Inc., 2013 WL 6832228 (Pa. C. P. 2013)
															-
															william I d and
Scott v. DiValentino	Conunon Picas					x				D		х			Scolt v. Dil'alentino , 30 Phila. Co. Rptr. 215 (Pa. C. P. 1995)
-															

Ense Name	Tr.: 1/Superior / Notes Supreme Court	Not a <i>Batson</i> claim	Withdrawn Unknown result Successful Butson claim to Butson claim Butson Claim		(meaning	Remanded for J Dire Bassar Levalentiary (App hearing (CP) (PC) (B-3)	eal (" , 1 RA "Lor h	Court Declined to Discuss the Issue	Finding: Finding decision on oneritle the merity claim			
lexander v. Carlisle Corp.	PA Superior Court			х			D		х			Alexander v. Carlisle Corp., 674 A.2d 268 (Pa. Super, Ct. 1996)
rooks v. Speller	PA Superior Court		x			x			х			Brooks v. Speller, 2013 WL 11287673 (Pa. Super, Ct. 2013)
ommonwealth v. Abu-Jamal Lka Cook)	PA Supreme Court			х			P		X			Commonwealth v. Abu-Jamal. 720 ∧ 2d 79 (Pa. 1998)
ommonwealth v. Acres	PA Superior Court			х			D		x		x	Commonwealth v. Acres . 2018 WL 4704508 (Pa Super Ct. 2018)
ommonwealth v. Ali (Imannel)	Common Picas			х			D			х		Commonwealth v. Ali , 2012 WL 6928177 (Pa. C. P. 2012)
ommonwealth v. Alston Benjamin)	Common Pleas			х			P		X		х	Commonwealth v. Alston , 2003 WL 25711039 (Pa. C. P. 2003)
ommonwealth v. Alston (Kevin)	PA Superior Court			x			D				x	Commonwealth v. Alston . 864 A.2d 539 (Pa. Super, Ct. 2004)
ommonwealth v. Alton	Common Pleas			x			D		х			Commonwealth v. Alton , 2012 WL 12033737 (Pa C P. 2012)
ommonwealth v. Amos (Melvin)	PA Superior Court			x			D		x			Commonwealth v. Amos , 2017 WL 6545972 (Pa. Super. Ct. 2017)
ommonwealth v. Arrington	Common Pleas			x			D		X	Х		Commonwealth v. Arrington . 2008 WL 9853230 (Pa. C. P. 2008)
ommonwealth v. Austin	PA Superior Court			х		•	P				х	Commonwealth v. Austin., 2018 WL 466237 (Pa. Super. Ct. 2018)
ontmonwealth v. Baez	PA Supreme Court			X			D		X	х		Commonwealth v. Baez, 720 A.2d 711 (Pa. 1998)
ommonwealth v. Baker (Lee)	PA Supreme Court		x	х				x				Commonwealth v. Baker . 728 A.2d 952 (Pa. 1999)
ommonwealth v. Bartlett	Common Pleas			х			D		x			Commonwealth v. Bartlett , 2002 WL 34576671 (Pa. C. P. 2002)
onnnonvealth v. Basemore	PA Supreme Court		x									Commonwealth v. Basemore . 744 A 2d 717 (Pa. 2000)
ommonwealth v. Bates	PA Superior Court			x			P				х	Commonwealth v. Bates, 2017 WL 2992421 (Pa. Super, Ct. 2017)
ommonwealth v. Bath	Common Pleas			x			D		x			Commonwealth v. Bath., 2001 WL 36043686 (Pa. C. P. 2001)
ommonwealth v. Baumgartner	Common Pleas			x			D		X			Commonwealth v. Baumgartner . 2014 WL 7896586 (Pa. C. P. 2014)
ommonwealth v. Beasley	PA Supreme Court history			x			P			X		Commonwealth v. Beasley, 937 A.2d 379 (Pa. 2007)
ommonwealth v. Bell	PA Superior Court			x			D		x			Commonwealth v. Bell., 2018 WL 947644 (Pa. Super. Ct. 2018)
Ommonwealth v. Bemtez	Common Pleas			x			D		x			Commonwealth v. Benitez., 2002 WL. 34271333 (Pa. C. P. 2002)
ommonwealth v. Berrien	Common Pleas			x			D		x			Commonwealth v. Berrien . 37 Pa. D. & C. 4th 528 (Pa. C. P. 1997)
ommonwealth v. Biddings	Common Pleas			x			D		x			Commonvealth v. Biddings , 2003 WL 25711293 (Pa. C. P. 2003)
Commonwealth v. Blakeney	PA Supreme Court Page 10 present the supreme Court PA Supreme Co	0		х			P		х			Commortwealth v. Blakeney, 108 A.3d 739 (Pa. 2014)
onunonwealth v. Boggs	Common Pleas			x			P		х			Commonwealth v. Boggs , 2003 WL 25598165 (Pa. C. P. 2003)
ommonvealth v. Bolden	PCRA			x			P		х			Commonwealth v. Bolden , 1996 WL 34435288 (Pa. C. P. 1996)
ommonwealth v. Bond (Jesse)	PA Supreme Court			x			D		х			Commonwealth v. Bond , 819 A.2d 33 (Pa 2002)
Commonwealth v. Bonilla	PA Superior Court			X			D		x			Commonwealth v. Bonilla . 2013 WL 11259138 (Pa. Super, Ct. 2013)
ommonwealth v. Bontware	Common Picas			x			D		х			Commonwealth v. Bonhvare , 34 Phila. Co Rptr. 496 (Pa C. P 1997)
Commonwealth v. Bracey Edward)	PA Supreme Court			x			P			x	x	Commonwealth v. Bracey, 795 A,2d 935 (Pa. 2001)
Commonwealth v. Bradham	Conumon Pleas			х			D		x			Commonwealth v. Bradham, 2004 WL 5535066 (Pa. C. P. 2004)
ommonwealth v. Bradshaw	Common Pleas			х			D		x			Commonwealth v. Bradshaw, 2005 WL 6067839 (Pa. C. P. 2005)
ommonvealth v. Brandao	PA Superior Court			x			D		x			Commonwealth v. Brandao , 237 A.3d (Pa. Super Cr. 2020)
ommouwealth v. Brinson	Unknown answer: Court references there was a Batson claim in the procedural history, but there is nothing published or the outcome		x									Commonwealth v. Brinson, 240 A.3d 156 (Table) (Pa. Super. Ct. 2020)
Commonwealth v. Brokenborough			x									Commonwealth v. Brokenborough, 2015 WL 6958342 (Pa. Super, Ct. 2015)
Commonwealth v. Bronshtein	PA Supreme Court			x			D		X	x		Commonwealth v. Bronshtein . 691 A.2d 907 (Pa. 1997)
Commonwealth v. Brooks (Billy)	Common Pleas			x			D		X			Commonwealth v. Brooks , 2007 WL. 7299678 (Pa. C. P. 2007)

ase sure	Tr at/Suprior/ Notes Supreme Court		Unknown result Successful in to Batson claim Batson Chair	a ssful Batson	(meaning	Remanded for JDire t Batson t evidentiary (Appeal tearing t PCRA t ("PN $_{\rm P}$ or t Ba	to Discuss the Issue	ed Finding; Finding; decision on meritles; the merits claim			
Commonwealth v. Brooks (Willie	PA Superior Court			x		D		x			Commonwealth v. Brooks , 2015 WL 6950130 (Pa. Super. Ct. 2015)
(ee) Commonwealth v. Brown (Gartor)				x		D		x			Cammonwealth v. Brown , 2018 WL 11214846 (Pa. C. P. 2018)
				x		P		<u> </u>	x		Commonwealth v. Brown . 2013 WL
Commonwealth v. Brown (Lavar) Commonwealth v. Brown									X		11267531 (Pa. Super. Ct. 2013) Commonwealth v. Brown . 242 A 3d 455
('anessa)	PA Superior Court			X		D		X	X		(Table)(Pa. Super. Ct. 2020) Commonwealth v. Brown, 2015 WL
Communivealth v. Brown (William)	PA Superior Court			X		D		x			6870633 (Pa. Super. Ct. 2015) Commonwealth v. Burus , 765 A.2d 1144
Commonwealth v. Burns	PA Superior Court			х		D		х			(Pa. Super. Ct. 2000) Commonwealth v. Carson, 741 A.2d 686
Commonwealth v. Carson (Sannel)	PA Supreme Court		x					X			(Pa. 1999)
Commonwealth v. Carter	PA Superior Court			х		P		x			Commonvealth v. Carter, 2013 WL 11253813 (Pa. Super, Ct. 2013)
Commonwealth v. Castro	Common Pleas			х		D		X			Commonwealth v. Castro , 2007 WL 6875791 (Pa. C. P. 2007)
Commonwealth v. Clark (Maurice)	Contract Plans			x		D		x			Commonwealth v. Clark , 2005 WL. 6067813 (Pa. C. P. 2005)
		_		x	_	P		x			Commonwealth v. Clark , 961 A.2d 80
Commonwealth v. Clark (Ronald) —						P	_				(Pn. 2008) Commonwealth v. Collins . 957 A 2d 237
Commonwealth v. Collins	PA Supreme Court			х			_		X		(Pa 2008) Commonwealth v. Cook , 952 A.2d 594
Camnonwealth v. Cook	PA Supreme Court			х		D		x			(Pa. 2008) Communication v. Coombs , 2002 WI.
Commonwealth v. Coombs	Common Pleas			х		D		x			34401724 (Pa. C. P. 2002) Commonwealth v. Cornish , 2015 WL
Commonwealth v. Cornish	PA Superior Court			x		D		X			6951151 (Pa. Super. Ct. 2015)
Commonwealth v. Correa	PA Superior Court			x		D		x			Commonwealth v. Correa . 620 A 2d 497 (Pa. Super. Ct. 1993)
Commonwealth v. Cox (Dayvon)	PA Superior Court			x		D		x			Commonwealth v. Cox., 2016 WL 6678504 (Pa. Super. Ct. 2016)
Commonwealth v. Crisswalle	Common Pleas			X		D		x			Commonwealth v. Crisswalle , 2010 WL 8366884 (Pa. C. P. 2010)
Commonwealth v. Cruz-Rivera	PA Superior Court			x		P		X			Commonwealth v. Crnz-Rivera , 2014 WL 10986659 (Pa. Super. Ct. 2014)
			<u> </u>	x		P		X	X		Commonwealth v. Daniels , 963 A.2d 409
Commonwealth v. Daniels (Henry)						В		X		v	(Pa. 2009) Commonwealth v. Davis, 916 A.2d 1206
Commonwealth v. Davis	PA Superior Court			X							(Pa, Super Ct. 2007) Commonwealth v. Dennis , 859 A.2d 1270
Commonwealth v. Dennis (James)				х		P		Х			(Pa 2004) Commonwealth v. Diggs, 220 A.3d 1112
Commonwealth v. Diggs	PA Superior Court Unrelated case, but note: Federal haben granted retrial based on Batson claim	is .	х								(Pa Super Ct. 2019) Commonwealth v. Dunviddie . 601 A 2d
Commonwealth v. Dinwiddie (Grover)	PA Supreme Court		x			x		x			1216 (Pa. 1992)
Commonwealth v. Dixon	PA Superior Court			X		P		x			Commonwealth v. Dixon , 2017 WL 5946524 (Pa. Super. Ct. 2016)
Commonwealth v. Dogun	PA Superior Court			x		D		x			Commonwealth v. Dogan , 2018 WL 1702784 (Pa. Super, Ct. 2018)
			<u> </u>	x		D		X			Commonwealth v. Doyen, 848 A.2d 1007 (Pa. Super, Ct. 2004)
Commonwealth v. Doyen	PA Superior Court			_		D					Commonwealth v. Dunson 2007 WL
Commonwealth v. Dunson	Common Pleas			x				X			7305632 (Pa. C. P. 2007) Commonwealth v. Eddings , 721 A.2d 1095
Commonwealth v. Eddings	PA Superior Court			x		D		x			(Pa. Super. Ct. 1998)
Commonwealth v. Edgefield	PA Superior Court			x		D		x			Commonwealth v. Edgefield 2013 WL 11272628 (Pa Super Ct. 2013)
Commonwealth v. Edmunds				X	_	D		x			Commonwealth v. Edunads, 2015 WL 6663271 (Po. Super. Ct. 2015)
Commonwealth v. Edwards (Derrick)	PA Superior Court The claim was brought on DOUBLE Ji:OPARDY grounds, the court bolds t PA Superior Court is no precedent on how to handle a Baseinore claim, so there is no basis for relief			x		D					Commonwealth v. Echwards . 239 A.3d 112 (Table) (Pn. Super. Ct. 2020)
Commonwealth v. Eggleston	PA Superior Court			x		D		X	х		Commonwealth v. Eggleston 2013 WL 11273037 (Pa. Super Ct. 2013)
Cumnonwealth v. Fields	Common Pleas			x		D		x			Commonwealth v. Fields , 2005 WL 5793796 (Pa. C. P. 2005)
	PA Superior Court		x				X				Commonwealth v. Figueroa. 29 A.3d 1177 (Pa. Super. Ct. 2011)
Commonwealth v. Figueroa	ra superior Court										Commonwealth v. Fisher, 681 A 2d 130

Cuse Name	Trial / Superior /	Notes	Not a Batsun	Withdrawn Unknown result Successful		e Appealed	Remanded for	1 Direct	Court Declined		Finding:		Finding:	Finding: waive	d Citation
	Supreme Court		elaim	Batson claim to Batson claim Hatson Claim	n ssful <i>Butson</i> Claim	(meaning the case should not be counted to our total number)	Butsan / evidentiar hearing) (Appeal ("D') (PCRA ("P") ₀ or (Botl ("B")?	to Discuss the Issue	decision on the merits		Waived	Inappropriate use of <i>Baison</i> claim	during PRCA	
Commonwealth v. Flamer	PA Superior Court				X			D			x				Commonwealth v. Flamer, 2016 WL 2798907 (Pa. Super. Ct. 2016)
onmonvealth v. Fletcher	PA Supreme Court				x			D			x				Commonwealth v. Fletcher, 861 A.2d 898 (Ps. 2004)
Tommonwealth v. Flores (Jesus)	Common Pleas				X			D	-		x				Commonwealth v. Flores, 1998 WL 3525 7129 (Pa. C. P. 1998)
Commonwealth v. Foster	PA Superior Court				x			D			x				Commonwealth v. Faster, 651 A.2d 163 (Pa Super, Ct. 1994)
ommonwealth v. Futrell	Common Pleas				X			D			X				Commonwealth v. Fritrell, 2000 WL 35778240 (Pa. C. P. 2000)
ammonwealth v. Gallagher	Common Pleas				x			D			х				Commonwealth v. Gallagher, 2005 WL 5776264 (Pa. C. P. 2005)
ommonwealth v. Garland	PA Superior Court				х			D			x				Commonwealth v. Garland , 2017 WL 976046 (Pa Super, Ct. 2017)
ommonwealth v. Garnett	PA Superior Court	The trial was held prior to Batson, elaim			x			P					x		Commonwealth v. Garnett , 613 A.2d 569 (Pa. Super, Ct. 1992)
Commonwealth v. Garrett	PA Superior Court	Prosecution made the Batson objection		x						x					Commonwealth v. Garrett, 689 A.2d 912 (Pa. Super. Ct. 1997)
Commonwealth v. Gestialso	PA Superior Court	Unknown answer: Court declines to review the Britson issue due to another issue requiring a remaid for a new trial		x		_			X						Commonwealth v. Gesualso , 2020 WL 865113 (Pa. Super. Ct. 2016)
- Commonwealth v. Gibson Demetrius)	PA Superior Court	- salaring o , salaring io , salaring io			X			Р			x				Commonwealth v. Gibson, 2020 WL 85915 (Pa. Super. Ct. 2020)
Conmonvealth v. Gibson (Karcem)	PA Superior Court	Unknown claim: Batson mentioned in procedural listory, but doesn't dicuss the prior court's holding		x											Cammonwealth v. Gibson , 2015 WL 6957021 (Pa. Super, Ct. 2015)
Commonwealth v. Gibson (Ronald)) PA Supreme Court	prior during			x			D			X				Commonwealth v. Gibson . 951 A.2d 1110 (Pa. 2008)
Conunomvealth v. Golphin	Common Pleas				x			В			к			x	Controttvealth v. Golphin , 2007 WL 4964416 (Pa. C. P. 2007)
Commonweulth v. Graham Robert)	PA Superior Court		-		×			P			х				Commonwealth v. Graham, 2016 WL 379936 (Ps. Super. Ct. 2016)
Commonwealth v. Grant	PA Superior Court	Unknown claim, a footnote discusses a Batson claim, but there is no history of the PCRA opinion		x											Commonwealth v. Grant , 2018 WL 2931907 (Pa. Super, Ct. 2018)
Commonwealth v. Green (Derek)	Common Pleas	The issue was already tried, barred from appealing the same issue			x			D					X		Commonwealth v. Green , 2002 WL 34400778 (Pa. C. P. 2002)
Commonwealth v. Green (Gary)	Common Pleas	appearing the same issue			x							x		х	Commonwealth v. Green , 2009 WL 7752866 (Pa C P. 2009)
Commonwealth v. Gregory	Common Pleas	The trial court opinion doesn't explain why only mentions the claim was denied after oral argument	1		х			D							Commonwealth v. Gregory, 20 Phila. Co. Rptr. 457 (Pa. C. P. 1990)
Commonwealth v. Griffin	PA Supreme Court				х			P			×				Commonwealth v. Griffin, 644 A 2d 1167 (Pa. 1994)
Commonwealth v. Hackett Richard)	PA Supreme Court				x			В				X		X	Commonwealth v. Hackett , 926 A.2d 978 (Pa 2008)
Commonwealth v. Hali	PA Superior Court	This is explained in the procedural history not the opinion's discussion			x			D			x				Commonwealth v. Hall., 2014 WI. 10788848 (Pa. Super. Ct. 2014)
Commonwealth v. Hamilton Dagnan)	PA Superior Court				x			D			x				Commonwealth v. Hamilton, 2018 WL 4443063 (Pa. Super. Ct. 2018)
Commonwealth v. Hamilton Theodore)	Common Pleas				X			P			x				Commonwealth v. Hamilton . 2006 WL 5429625 (Pa. C. P. 2006)
Commonwealth v. Hanible	PA Supreme Court		_		X			P			X				Commonwealth v. Hanible, 30 A.3d 426 (Pa. 2011)
Commonwealth v. Hardcostle Donald)	PA Supreme Court				x			D			X				Commonwealth v. Hardcastle, 701 A.2d 541 (Pa. 1997)
Commonwealth v. Harmaram	PA Superior Court				X			В			x			X	Commonwealth v. Harinarain, 2014 WL 10917001 (Pa. Super, Ct. 2014)
Commonwealth v. Harris (Francis	PA Supreme Court				x			D			X				Commonwealth v. Harris . 817 A.2d 1033 (Pn. 2002)
Commonwealth v. Harris (Victor)	PA Superior Court				x			D				X			Commonwealth v. Harris , 2015 WL 7722318 (Pa Super. Ct 2015)
Commonwealth v. Hart	Common Pleas				x			D			х				Commonwealth v. Hart. 17 Pa. D. & C. 5th 389 (Pa. C. P. 2010)
Commonwealth v. Harvey	PA Superior Court				х			D			x				Commonwealth v. Harvey , 2013 WL 11276240 (Pa. Super Ct. 2013)
Commonwealth v. Haynes	Common Pleas	The issue was already tried, barred from appealing the same issue			x			P					x	x	Commonwealth v. Haynes , 2006 WL 5429140 (Pa. C. P. 2006)
Commonwealth v. Henderson	Common Pleas				х			D			x				Commonwealth v. Henderson , 2007 WL 5194170 (Pa. C. P. 2007)
Commonwealth v. Hill (Donnetta)	PA Supreme Court	This is explained in the procedural history not the opinion's discussion						P			х				Commonwealth v. Hill. 16 A.3d 484 (Po. 2011)
Commonwealth v. Hill (Jahn)	PA Superior Court	- aparter a medical con		x						x					Commonwealth v. Hill, 727 A.2d 578 (Pa. Super. Ct. 1999)
Commonwealth v. Holland	PA Superior Court				x			D			x				Commonwealth v. Holland , 2017 WL 764517 (Pa Super Ct. 2017)

Cas Name	Tribit / Superior i Notes Supreme Court	Not a Baison Withdrawn Unknown result Successful claim Baison claim to Baison claim Baison Claim		Appealed (meaning	Remanded for Direct Batson Levidentiary (Appeal	to Discuss the		Finding: meritless	Waiyed	Finding: Finding: waived Inappropriate during PRCA	
	Supreme Court	Eight Bason claim to Durion claim Dason Claim	Batxon	the case	hearing (""").	Issue	the merits			use of Batson	
			Claim	should not	PCRA					claim	
				be counted to our total	(Both						
				number)	ε("B")?						
mmonwealth v. Holloway	PA Supreme Court		х		В			х		х	Commonwealth v. Holloway, 739 A.2d 1039 (Pa. 1999)
			x		D		_	x			Commonwealth v. Holly , 2015 WL
ontmonwealth v. Holly	PA Superior Court										8484980 (Pa. Super. Ct 2015) Commonwealth v. Holmes , 2017 WL
ommonwealth v. Holmes (Karim)	PA Superior Court		X		D				Х		6330696 (Pa. Super, Ct. 2017) Commonwealth v. Holmes , 2007 WL
ominonwealth v. Holmes (Kyle)	Common Pleas		X		D			X			5004352 (Pa. C. P. 2007)
ommonwealth v. Horne	PA Supreme Court	X					x				Commonwealth v. Horne , 635 A.2d 1033 (Pa. 1994)
	Unknown claim: Batson menti-						_				Commonwealth v. Hornezes , 2002 WL 34401663 (Pa. C. P. 2002)
ommonwealth v. Hornezes	Common Pleas procedural history, but final dec unknown	vision x				_					
Commonwealth v. Hupperterz	PA Superior Court		x		D			x			Commonwealth v. Hupperters , 242 A.3d 410 (Table) (Pa. Super, Ct. 2020)
ommonwealth v. Hutchinson	PA Supreme Court		x		P			x			Commonwealth v. Hutchinson , 25 A.3d 277 (Pa. 2011)
ommonwealth v. Jackson			X		P			x			Commonwealth v. Jackson , 2014 WL
(dmond)	PA Superior Court									_	10979627 (Pa Super, Ct. 2014) Communwealth v. Juckson, 562 A.2d 338
ontmonwealth v. Jackson 'dward)	PA Superior Court		X		D			X			(Pa. Super. Ct. 1989) Commonwealth v. Jackson, 561 A.2d 335
onunonwealth v. Jackson .awrence)	PA Superior Court		x		D			x			(Pa. Super. Ct. 1989)
ommonwealth v. Jackson tonsean)	Common Pleas		х		D			x			Commonwealth v. Jackson , 2008 WL 7279969 (Pa. C. P. 2008)
ammanwealth v. James	PA Superior Court		X		Р			x			Commonwealth v. James , 2017 WL 1018538 (Pa. Super, Ct. 2017)
					D				х		Commonwealth v. Jeffcoat-Parker , 2019
ommonwealth v. Jeffcoat-Parker	PA Superior Court The trial was held prior to Bats	ou elaim	x								WL 3231251 (Pa. Super Ct 2019) Commonwealth v. Johnson, 945 A.2d 185
ommonwealth v. Johnson (David)	PA Superior Court (ails	on , crain	Х		P					х	(Pa. Super. Ct. 2008) Commonwealth v. Johnson , 34 Phila. Co.
ommonwealth v. Johnson (Glen)	Common Pleas		X		D			X			Rptr. 506 (Pa. C. P. 1997)
omnonwealth v. Johnson (Kevin)	Common Pleas		X		P			x			Cammonwealth v. Johnson , 2003 WL 25972055 (Pa. C. P. 2003)
Commonwealth v. Johnson (R.C.)	PA Superior Court		x		D				x		Commonwealth v. Johnson , 534 A,2d 511 (Pa Super, Ct. 1987)
											Commonwealth v. Johnson , 139 A.3d 125
'ommonwealth v. Johnson (Villianı)	PA Supreme Court		х		P			X			(Pa. 2016)
Commonwealth v. Jones (Aaron)	PA Supreme Court		х		D			x			Commonwealth v. Jones . 668 A.2d 491 (Pa. 1995)
		x x			x						Commonwealth v. Jones , 2013 WL
Commonwealth v. Jones (Carlos)		x x					_				11253326 (Pa. Super Ct 2013) Commonwealth v. Jones . 2015 WL
ommonwealth v. Jones (Carslie)	PA Superior Court		X		D					х	6666221 (Pa. Super Ct. 2015) Cammonwealth v. Jones . 580 A 2d 308
Commonwealth v. Jones D'Angelo)	PA Supreme Court		Х		D			X			(Pa. 1990)
Commonwealth v. Jones (Damon)	PA Supreme Court The issue was already tried, but appealing the same issue	rred from	х		P					x x	Commonwealth v. Jones . 912 A.2d 268 (Pa 2006)
Commonwealth v. Jones	Common Pleas		х		P				,	x	Commonwealth v. Jones , 2006 WL 5429067 (Pa. C. P. 2006)
Eughinia)					В			x		x	Commonwealth v. Jones , 951 A.2d 294
Commonwealth v. Jones (James)			х								(Pa. 2008) Commonwealth v. Jordan , 2018 WL
Commonwealth v. Jordan	PA Superior Court		X		D			X			1789811 (Pa. Super. Ct. 2018) Commonwealth v. Kebede , 2015 WL
ommomvealth v. Kebede	PA Superior Court		X		P			X			7575706 (Pa Super. Ct. 2015)
Commonwealth v. Kendricks	PA Superior Court		х		P			x			Commonwealth v. Kendricks , 2016 WL 3034749 (Po. Super, Ct. 2016)
Commonwealth v. Kennedy	Common Pleas		x		D			x			Commonwealth v. Kennedy , 2004 WL 5388352 (Po. C. P. 2004)
(Audrew)									-		Commonwealth v. Kennedy , 237 A 3d 10
Commonwealth v. Kennedy Christopher)	PA Superior Court		x		Р			x		_	(Pa. Super Ct. 2020)
	The appellant brought a differ	ent claim			P					x	Commonwealth v. Keys., 2014 WL 10889 (Pa. Super, Ct. 2014)
Commonwealth v. Keys	PA Superior Court under a Batson claum		х		P					,	
Communivealth v. Lambert	PA Supreme Court		x		D			x			Commonwealth v. Lambert , 603 A.2d 568 (Pa. 1992)
ommonwealth v. Langerston	Common Pleas		х		P			x			Commonwealth v. Langerstan, 20078 WI 7242036 (Pa. C. P. 2008)
Darryl)	Note: this is a successfut claim	ı in E.D.Pa									Commonwealth v. Lark . 2019 WL 39173
Commonwealth v. Lark (Robert)	(2012); but this case ign't dise	ussing that.									(Pa. Super. Ct. 2019)
	procedural history	ned in the									Commonwealth v. Lon., 2012 WL 765539
Commonwealth v. Lon	Common Pleas		x		D			х			(Pa C. P. 2012)

Case Name	Trial / Superior /	Notes		Withdrawn Unknown result Successful			Remanded for Direct		d Finding:			Finding:	Finding: waived	Cilution
	Supreme Court		elaim	<i>Butson</i> claim to <i>Butson</i> claim <i>Butson</i> Claim		(meaning the case should not be counted rour total number)	Butson / evidentiary (Appeal tearing (PP) (PCRA (PP), or (Both (PS)))	to Discuss the Issue	decision on the merits		Waived	Inappropriate use of Batson claim	e during PRCA	
Commonwealth v. Lee	PA Superior Court				х		D	-			x			Commonwealth v. Lee , 2020 WL 1042638
ommonwealth v. Lewis	PA Supreme Court	This is discussed in Postnote 3	_		x		D				x			(Pa. Super. Ct. 2020) Commonwealth v. Lewis , 567 A.2d 1376
Reginald)					x		В				x		X	(Pa. 1989) Commonwealth v. Ligons , 971 A.2d 1125
Commonwealth v. Ligons	PA Supreme Court					_							•	(Pa. 2009) Commonwealth v. Lloyd . 545 A 2d 890
ommonwealth v. Lloyd	PA Superior Court				х		D			X				(Pa. Super. Ct. 1988) Commonwealth v. Loach, 2015 WL 855037
ommonwealth v. Louch (Jerome), o. 23680-1988					x		P						x	(Pa. Super, Ct. 2015)
ommonwealth v. Loach (Jerome). o. 6738-2010	PA Superior Court				х		D			x				Commonwealth v. Loach , 2013 WL 11273268 (Pa. Super. Ct. 2013)
onmonwealth v. Long	PA Superior Court				х		D			x				Commonwealth v. Long . 532 A.2d 853 (Pa. Su. er. Ct. 1987)
ommonwealth v. Lapez (Jase)	PA Superior Court				x		P			x				Commonwealth v. Lopez, 2015 WL 668948 (Pa. Super Ct. 2015)
ammonwealth v. Lavejoy	Contmon Pleas			х										Commonvealth v. Lovejoy , 2005 WL 5809091 (Pa. C. P. 2005)
Commonwealth v. Marrero	Common Pleas				x		D			x				Commonwealth v. Marrero , 2004 WL, 5388399 (Pa. C. P. 2004)
Commonwealth v. Marshall	PA Supreme Court				x		D		_		x			Commonwealth v. Marshall , 947 A.2d 714 (Pa. 2008)
Jerome) Conunonwealth v. Marshall (Jerry)					×		P			x				Canthornvealth v. Marshall , 810 A 2d 1211 (Pa 2002)
														Commonwealth v. Mason, 2008 WL 763819 (Pa. C. P. 2008)
Commonwealth v. Mason (Andre)	Common Pleas				N		D			X				Commonwealth v. Mason , 130 A 3d 601
Commonwealth v. Mason Lenwood)	PA Superior Court	A prior PCRA petition by this defendant denied a Batson claim; unaware of the basis			x		Р							(Pa 2015)
Commonwealth v. Matthews (Rod)	PA Superior Court	Unknown answer: Court declines to review the Batson issue due to another issue	w	x				x						Commonwealth v. Matthews , 2015 WL 7260349 (Pa. Super. Ct. 2015)
Commonwealth v. Maxwell	PA Superior Court				x		P						X	(Pa. Super Ct 2020)
Commonwealth v. Mayhew	Common Pleas				x		D			x				Commonwealth v. Mayhew., 1997 WL 34659141 (Pa C. P. 1997)
Commonwealth v. McCallister Donte)	PA Superior Court				x		D				x			Commonwealth v. McCallister, 2014 WL, 10802720 (Pa Super, CL 2014)
Commonwealth v. McCaskill	PA Superior Court				х		D			х				Commonwealth v. McCaskill , 2017 WL 2791143 (Pa 2017)
Commonwealth v. McCornick	PA Superior Court			х			x							Commonwealth v. McCormick, 519 A 2d 4 (Pa. Super. Ct. 1986)
Commonwealth v. McCracken	Common Pleas	_			x		D			X			-	Commonwealth v. McCracken, 2012 WL 9515401 (Pn. C. P. 2012)
Commomvealth v. McCrae	PA Superior Court	Court declines to discuss the issue due to inappropriate forum			x		D					x		Commonwealth v. McCrae , 2016 WL 5266557 (Pa. Super, Ct. 2016)
Commonwealth v. McCurdy	Common Pleas	парргоргаме югит			х		P					_	x	Commonwealth v. McCurdy , 2005 WL 5873638 (Pa. C. P. 2005)
Commonwealth v. McDonald	PA Superior Court		-		x		D				x			Commonwealth v. McDonald , 2017 WL 4457295 (Pa. Super Cl. 2017)
Commonwealth v. McDowell	Common Pleas				x		D			x				Commonwealth v. McDowell . 2003 WL 25711449 (Pa. C. P. 2003)
Commonwealth v. McFarlin	Common Pleas				x		D	_		X		-		Commonwealth v. McFarlin , 2002 WL 34401120 (Pa. C. P. 2002)
Commonwealth v. McGill	Common Pleas				x		P			x	_			Commonwealth v. McGill , 2002 WL
Commonwealth v. McKendrick	PA Superior Court				x		D			x				Commonwealth v. McKendrick , 514 A 2d
							x							144 (Pa Super, Ct. 1986) Commonwealth v. McKnight, 2014 WL
Commonwealth v McKnight	PA Superior Court	Description made the Rotson chination		x										Comnonvealth v. McKatt , 2014 WL
Commonwealth v. McNatt	PA Superior Court			X			P			x				10558709 (Pa. Super. Ct. 2014) Commonwealth v. McNeil . 679 A.2d 1253
Christopher)	PA Supreme Cour				X					Х				(Pa. 1996) Commonwealth v. MaNeil , 2016 WL
Commonwealth v. McNeil (Kerry) Commonwealth v. Mcdina					X		P						x	5886495 (Pa Super Ct. 2016) Commonwealth v. Medina. 2006 WL
(4.1thonv)	Common Pleas				X		D			X				5429062 (Pa. C. P. 2006) Commonwealth v. Medina . 2004 WL.
Commonwealth v. Medina Christian)	Common Pleas				X		D			X				5393577 (Pa C P 2004) Commonwealth v. Meria-Maios , 2014 WL
Commonwealth v. Mejil-Matos	PA Superior Court				x		D			х		_		10937114 (Pa. Super. Ct. 2014)

Cresi- Norma	Trial/Superio / Notes		rawn Unknown result Successful		e Appealed	1Direct	Court Declined		Finding:		Finding:	Finding: waived	Citation
	Supreme Court	elījim <i>Batso</i> r	r claim <i>to Butson</i> Clain - <i>Batson</i> Clair		(incaning the case should not be counted to our 1-to number)	ry (Appeal r("D' rPCRA r P") or rBcdl r(B")7	to Discuss the Issue	decision on the merity		Waived	Inappropriate use of Batson chim	during PRCA	
Commonwealth v. Melson	PA Superior Court			х		D			х				Commonwealth v. Melson, 637 A 2d 633 (Pa. Super. Ct. 1994)
Commonwealth v. Miller (Hayward)	PA Superior Court		x										Commonwealth v. Miller, 2013 WL 11262999 (Pa. Super Ct. 2013)
Commonwealth v. Miller Germaine)	PA Superior Court			x		D			x				Commonwealth v. Miller , 2016 WL 4945496 (Pa. Super. Ct. 2016)
Comnonwealth v. Miller (Sabrina)	PA Superior Court			к		D			x				Commonwealth v. Miller, 721 A 2d 1121 (Pa. Super. Ct. 1998)
Commonwealth v. Mills (Aaron)	PA Superior Court			х		D			x	х			Commonwealth v. Mills., 2020 WL 1490949 (Pa Super. Ct. 2020)
Commonwealth v. Mitchell	Common Pleas			Х		D			x				Commonwealth v. Mitchell, 2008 WL 8115494 (Pa C P. 2008)
Commonwealth v. Monroe	PA Superior Court			х		D			X				Commonwealth v. Monroe , 542 A.2d 113 (Pa. Super. Ct. 1988)
Commonwealth v. Maarc	Common Pleas			x		D			x				Commonweolth v. Moore, 2005 WL 606770 (Pa. C. P. 2005)
Commonwealth v. Morris	Common Pleas			x		P			x				Cammonvealth v. Morris , 1993 WL 13652228 (Pa. C. P. 1993)
Commonwealth v. Muhammed	PA Superior Court			x		D			X				Commonwealth v. Muhammed . 2019 WL 2432100 (Pa. Super. Ct. 2019)
Commonwealth v. Myrick	Common Pleas			х		D			x				Commonwealth v. Myrich , 2001 WL 36125301 (Pa. C. P. 2001)
Commonwealth v. Neal	PA Superior Court		_	х		P	x		х				Commonwealth v. Neal, 2016 WL 5852160 (Pa. Super. Ct. 2016)
Commonwealth v. Oke	PA Superior Court			х		D			x				Cammonwealth v. Oke , 2014 WL 10558734 (Pa. Super, Ct. 2014)
Commonwealth v. Oliver	Common Pleus	_		х		D			х				Commonwealth v. Oliver, 2014 WL 639109 (Pa. C. P. 2014)
Commonwealth v. Ollie	PA Superior Court			x		 D				x			Commonwealth v. Ollie , 2013 WL 1125077 (Pa. Super. Ct. 2013)
Commonwealth v. Ortiz	PA Superior Court		x										Commonwealth v. Ortiz, 241 A 3d 368 (Pa. Super. Ct. 2020)
Commonwealth v. Patterson	Common Pieas			х		D			x				Commonwealth v. Patterson , 2004 WL 5547595 (Pa C P. 2004)
Commonwealth v. Perez (Francisco)	Common Pleas		x					х					Commonwealth v. Perez. 8 Pa. D. & C. 4th 443 (Pa. C. P. 1990)
Commonwealth v. Perez-Labour	Common Pleas			х		D			x	X			Commonwealth v. Perez-Labour, 2006 WL 5430474 (Pa. C. P. 2006)
Commonwealth v. Perrin	PA Superior Court			X		P			x			x	Commonwealth v. Perrin., 947 A 2d 1284 (Pa. Super. Ct. 2008)
Commonwealth v. Philistin	PA Supreme Court			x		D			x	x			Commonwealth v. Philistin, 774 A.2d 741 (Pa. 2001)
Commonwealth v. Phillips (Derrick)	PA Superior Court			x		D			к				Commonwealth v. Phillips., 2017 WL 5509893 (Pa. Super. Ct. 2017)
Commonwealth v. Phillips (Jerry)	PA Superior Court			x		D			x				Commonwealth v. Phillips , 601 A 2d 816 (Pa. Super Ct 1992)
Commonwealth v. Porter	PA Supreme Court			x		 Р			x			x	Commonwealth v. Porter, 728 A.2d 890 (Pu. 1999)
Commonwealth v. Proctor	PA Supreme Court			x		Р			x				Commonwealth v. Proctor, 737 A.2d 724 (Pn. 1999)
Commonwealth v. Profic	Common Pleas			x		D			x		_		Commonwealth v. Profic . 2005 WL 606780 (Pa. C. P. 2005)
Commonwealth v. Ramey (Michael)	PA Supreme Court			X		 D				x		х	Commonwealth v. Rainey . 928 A.2d 215 (Pa. 2007)
(Auchaet) Commonwealth v. Rankins	PA Superior Court			X		D			х	х			Commonwealth v. Rankins, 2016 WL 5865066 (Pa. Super. Ct. 2016)
Commonwealth v. Ray	Common Picas			х		P			х				Commonwealth v. Ray , 2004 WL 5541142 (Pa. C. P. 2004)
Commonwealth v. Reid (Anthony)	PA Supreme Court			х		D				х			Commonwealth v. Reid , 235 A.3d 1124 (Pn 2020)
Commonwealth v. Rico (Joseph)				х		D			х				Commonwealth v. Rico 711 A 2d 990 (Pa. 1998)
Commonwealth v. Rivera (Alex)	Prosecution made the Balson objection Common Pleas		x										Commonwealth v. Rivera, 2007 WL 558131 (Pa. C P 2007)
Commonwealth v. Rivera	PA Supreme Court			x		Р			x				Commonwealth v. Rivera, 119 A.3d 365 (Pa. 2018)
(Miliani) Commonwealth v. Roane	PA Superior Court			X		D			X				Commonwealth v. Roone , 142 A.3d 79 (Pa. Super, Ct. 2016)
													Commonwealth v. Rogers , 2017 WL 46532

	Tri, 1 / Superio: / Notes Supreme Court	Not a <i>Batson</i> Withdrawn Unknown result Successful claim Batson claim to Batson claim Batson Claim	ssful	Appended Remainded for meaning Batson t evidential the case the tring should not be counted to our total number)	#Direct ry (Appeal) (* 1) #PCRA # "F or #Bet B 2	Court Declined to Discuss the Issue				Finding: waived during PRCA	
Commonwealth v. Rollins Saharris)	PA Superior Court		х		Р					Х	Commonwealth v. Rollins, 2019 WL 373190 (Pa. Super Ct. 2019)
Commonwealth v. Roney	PA Supreme Court		X		P		х				Communicalth v. Rooney . 79 A 3d 595 (Pa. 2013)
Commonwealth v. Rouse	Common Pleas		x		D		X				Commonwealth v. Rouse , 2010 WL 8334939 (Pa C P 2010)
Commonweolih v. Rush	PA Supreme Court		X		Р		x				Commonwealth v. Rush . 646 A 2d 557 (Pa. 1994)
Commonwealth v. Sanchez	PA Supreme Court		X		D		х				Commonwealth v. Sanchez, 36 A.3d 24 (Pa. 2011)
Commonwealth v. Sanders	Common Pleas		х		D		x				Commonwealth v. Sunders , 2005 WL 6066837 (Pa. C. P. 2005)
Commonwealth v. Santana	PA Superior Court		Х		D		х				Commonwealth v. Santana , 2014 WL 10965769 (Pa. Super Ct. 2014)
Commonwealth v. Saunders	PA Superior Court		x		D		х				Commonwealth v. Saunders , 946 A.2d 776 (Pa. Super Ct 2008)
— Commonweolth v. Savage (Thornton)	PA Superior Court		X		Р		×			X	Commonwealth v. Savage , 2018 WL 607376 (Pa. Super, Ct 2018)
Commonwealth v. Scott	PA Superior Court		х		D		x				Commorwealth v. Scott., 212 A.3d 1094 (Pa. Super. Ct. 2019)
Commonwealth v. Scott (Dawnd)	Common Pleas		X		D		X				Commonwealth v. Scott., 2009 WL 7228519 (Pa C P. 2009)
Commonwealth v. Sepulveda	PA Supreme Court	-	х		P		х				Commonwealth v. Sepulveda, 55 A.3d 1108 (Pa. 2012)
Commonweolth v. Shannon	Common Pleas A Butson claim does not cover age discrimination		х		D		x		X		Commonwealth v. Shanton , 2012 WL 7688025 (Pa. C. P. 2012)
Commonwealth v. Shelton	PA Superior Court		х		D		х				Commonwealth v. Shelton , 240 A.3d 921 (Table) (Pa. Super, Ct. 2020)
Commonwealth v. Simmons	PA Supreme Court		Х		D		х				Commonwealth v. Simmons . 804 A.2d 625 (Pa. 2001)
(Ernest) Commonwealth v. Simmons (Keith)			X		D		X				Communivealth v. Simmons . 2013 WL 10595630 (Pa C. P. 2013)
Commonwealth v. Simmons	PA Superior Court		x		D			x			Commonwealth v. Simmons , 2018 WL 3827278 (Pa Super. Ct. 2018)
(Laneill) Comnonwealth v. Simpson	PA Supreme Court		x		P	_	х			_	Commonwealth v. Simpson , 66 A.3d 253 (Pa 2013)
Commonwealth v. Sistrunk	PA Superior Court		X		P		 X				Commonwealth v. Sistrunk, 2016 WL 6198035 (Pa Super. Ct. 2016)
(Edward) Commonwealth v. Sistrank	PA Superior Court		x		P				x	x	Commonwealth v. Sistrank , 2019 WL 4880959 (Pa Super Ct. 2019)
(Hassien) Commonwealth v. Smith (Clifford)	PA Supreme Court		X		P		 X	_			Commonwealth v. Smith, 650 A 2d 863 (Pa. 1994)
Commonwealth v. Smith (George)	PA Superior Court		x		Р		x				Commonwealth v. Smith. 2013 WL 1125478 (Pa. Super. Ct. 2013)
Commonwealth v. Smith (Gregory)	PA Superior Court		X		В			X		x	Commonwealth v. Smith , 2017 WL 5483253 (Pa. Super, Ct. 2017)
Commonwealth v. Smith (James)			x		P		x	x		x	Commonwealth v. Smith , 17 A 3d 873 (Pa. 2011)
Commonwealth v. Smith (Michael)			X		D		 x				Commonwealth v. Smith , 866 A.2d 1138
Commonwealth v. Smith (Wayne)	<u> </u>		x		D		X				(Pa Super, CL 2005) Commonwealth v. Smith , 2013 WL 1238505 (Pa. C. P. 2013)
Commonwealth v. Smith (Wilfredo)	PA Superior Court	x				X					Commonwealth v. Smith , 2015 WL 6956600 (Pa. Super Ct. 2015)
	A prior PCRA petition by this defendant PA Superior Court denied a Batson claim; unaware of the	ι	х		Р						Cammonwealth v. Smith. 2013 WL 1125931 (Pa. Super, Ct. 2013)
Commonwealth v. Smulsky	PA Superior Court		x		D		x				Cammonwealth v. Smulsky, 609 A.2d 843 (Pa. Super, Ct. 1992)
Commonwealth v. Sneed (Willie)	PA Surrana Court finds the PCRA court incorrectly		X		Р						Commonwealth v. Sneed, 899 A.2d 1067 (Pa 2006)
Commonwealth v. Speight	PA Supreme Court		x		P					X	Commonwealth v. Speight, 986 A.2d 759 (Pa. 2009)
Commonwealth v. Spell	PA Superior Court		x		P		x				Commonwealth v. Spell , 2016 WL 5938503
Commonwealth v. Spence	PA Supreme Court		x		D			x			(Pa. Super Ct 2016) Commonwealth v. Spence, 627 A.2d 1176
Commonwealth v. Spotz	PA Supreme Court		X		P		x				(Pa. 1993) Commonwealth v. Spotz . 896 A.2d 1191
			X		D		x				(Pa 2006) Commonwealth v. Spurgeon . 2015 WL
Commonwealth v. Spurgeon	PA Superior Court		Α.				 ^				6132666 (Pa. Super Ct. 2015) Commonwealth v. Standford , 2018 WL

Case Came	Trail/Superior / Notes		awn Unknown result Successful		e Appealed		1Direct	Court Decline			Finding:	Finding: Insppropriate	Finding: waived	Citation
	Supreme Court	elaj̃m <i>Batson</i>	elaim to Batson elaim Batson Clair	Ratson	(incaning the case should not be counted to our total number)	Batson I evidentia hearing	ary (Appeal (! [®] D). (!PCRA (:"P"), or (Both (!'B")?	to Discuss the Issue	decision on the merits		Waived	trapperoprinte use of <i>Baison</i> elaim	during PRCA	
Commonwealth v. Stanley	A prior PCRA petition by this defendant PA Superior Court denied a Batson claim; unaware of the			x			P							Commonwealth v. Stanley , 2018 WL 146545 (Pa. Super, Ct. 2018)
Conunonwealth v. Stern (Lewis)	basis Common Pleas			x			Р			х			_	Commonwealth v. Stern . 2007 WL 4964417 (Pa. C. P. 2007)
Commonwealth v. Stidham	Common Pleas			x			р						x	Commonwealth v. Stidham . 2003 WL 25711095 (Pa. C. P. 2003)
Commonwealth v. Stone (Michael)	PA Superior Court Prosecution made the Basson objection		х											Commonwealth v. Stone . 2018 WL 2769052 (Pa. Super. Ct. 2018)
Commonwealth v. Taylor (Gustus)	PA Superior Court			x			P	x					x	Commonwealth v. Taylor, 2018 WL 5629910 (Pa. Super. Ct. 2018)
Commonwealth v. Terry	Inappropriate use of the Batson rule as PA Supreme Court Defendant is attacking array of venire no the peremptory challenges used	ot		х			D					x		Commonwealth v. Terry 521 A 2d 398 (Pn. 1987)
Commonwealth v. Thoman	PA Superior Court			x	_		D	_			X			Commonwealth v. Thoman , 2019 WL 336177 (Pa. Super. Ct. 2019)
Commanwealth v. Thomas (Duane,	PA Superior Court			x			P					x		Commonwealth v. Thomas , 2020 WL 33250 (Pa. Super, Ct. 2020)
Commonwealth v. Thomas Frederick)	PA Supreme Court			x			D			х	_			Commonwealth v. Thomas , 717 A.2d 468 (Pa. 1998)
Commonwealth v. Thomas (Leroy)	PA Supreme Court													Commonwealth v. Thomas , 44 A.3d I2 (Pa. 2012) Commonwealth v. Thomas , 2002 WL
Commonwealth v. Thomas Richard)	PCRA			x			P			х				34401698 (Pa. C. P. 2002)
Commonwealth v. Thompson Buckley)	PA Superior Court			x			D			X	х			Commonwealth v. Thompson , 2016 WL 5865006 (Pa Super. Ct. 2016)
Commonwealth v. Thompson (Chapel)	PA Superior Court			x			D			х				Commonwealth v. Thompson , 2014 WL 10936776 (Pa. Super, Ct. 2014)
Commonwealth v. Thompson Marquis)	PA Superior Court			x			D				x			Commonwealth v. Thompson , 106 A 3d 742 (Pa. Super, Ct 2014)
Commonwealth v. Thompson Ollie	Common Plens			x			D			X				Commonweelth v. Thompson . 2013 WL 8563532 (Pa. C. P. 2013)
Commonwealth v. Tilley	PA Supreme Court			x			P			X				Commonwealth v. Tilley , 780 A.2d 649 (Pa. 2001)
Commonwealth v. Tourscher	PA Superior Court		x									_		Commonwealth v. Tourscher, 682 A.2d 1275 (Pa. Super, Ct. 1996)
Commonwealth v. Towles	PA Supreme Court			х			D			x				Continuouvealth v. Towles , 106 A 3d 591 (Pa 2014)
Commonwealth v. Tucker	Common Pleas			x			D			x				Conunonvealth v. Tucker, 2006 WL 543037 (Pa. C. P. 2006)
Commonwealth v. Tull	Common Pleas		x			_		_	х					Commonwealth v. Tull , 49 Pa. D & C 3d 305 (Pa. C. P. 1987)
Commonwealth v. Twilley	PA Superior Court			x			D			x				Commonwealth v. Twilley, 612 A.2d 1056 (Pa Super Ct 1992)
Commonwealth v. Tyler	Common Pleas			x			D			X				Commonwealth v. Tyler, III . 2007 WL 6971611 (Pa. C. P. 2007)
Commonwealth v. Uderra	PA Supreme Court			x			Р			X	X			Commonwealth v. Uderra . 862 A.2d 74 (Pa. 2004)
Commonwealth v. Ulen	PA Superior Court			x			D			x				Commonwealth v. Ulen. 607 A.2d 779 (Pa Super. Ct. 1992)
Commonwealth v. Vega	Common Pleas			x			D			х				Commonwealth v. Vega , 2006 WL 5430251 (Pa. C. P. 2006)
Commonwealth v. Vines	Common Pleas			x			P			X				Commonwealth v. Vines , 2012 WL 8470820 (Pa C. P 2012)
Commonwealth v. Vivian	Common Pleas			X			P			x				Commonwealth v. Vivian , 2007 WL 691337 (Pa. C. P. 2007)
Commonwealth v. Waddy (Romont)	Common Pleas			x	x		D			X				Commonwealth v. Waddy . 2002 WL 34254663 (Pa. C. P. 2002)
Commonwealth v. Walker	Common Pleas	_		x			D	_		х				Commonwealth v. Walker, 2002 WL 34401742 (Pa. C. P. 2002)
Commonwealth v. Ward	PA Superior Court			x			D			х				Commonwealth v. Ward , 2018 WL 6191089 (Pa. Super, Ct. 2018)
Commonwealth v. Warner (Antonio)	PA Superior Court			x			P						x	Commonwealth v. Warner 2017 WL 11769 (Pa. Super Ct. 2017)
Commonwealth v. Warner	PA Superior Court		x											Cammonwealth v. Warner, 2013 WL 11253756 (Pa. Super, Ct. 2013)
(Antonio) Communwealth v. Washam	Common Pleas			x			D			x				Commonwealth v. Washam, 1988 WL 1652873 (Pa. C. P. 1988)
Commonwealth v. Washington	PA Supreme Court			к			P			x				Commonwealth v. Washington, 927 A.2d 58 (Pa. 2007)
Commonwealth v. Watkins							D				x			Commonwealth v. Watkins . 2007 WL
(Carroll)	Common Pleas			X			D				~			5581011 (Pa. C. P. 2007)

Final Batson Cla	Trial / Superior /	Notes	Not a Retent	Withdrawn Unknown result Successful	Unsuee	Appealed	Remanded for 1Direct	Court Declined	Finding: Fi	niling: F	inding:	Finding: Finding: waived	Citation
nse Nante	Supreme Court	Nutes	claim	William Original Patron Claim Batron Claim		(meaning	Butson t evidentiary t Appeal hearing $t \in \mathbb{P}^{D^m}$, t PCRA $t \in \mathbb{P}^m$ or	to Discuss the Issue		eritless V	Vaiveil	Inseprepriate during PRCA use of Batson claim	
						Hamber,			_	-			Commonwealth v. Il'atson , 2018 WL 652925
Commonwealth v. Watson	PA Superior Court				Х		P			х			(Pa. Super. Ct. 2018)
Commanvealth v. Weaver (Harvey)	PA Superior Court			х			x						Commonwealth v. Weaver, 568 A.2d 1252 (Pa. Super, Ct. 1989)
Commonwealth v. Weaver Trainell)	Common Pleas				х		D			х			Commonwealth v. Weaver , 2006 WL 5428896 (Pa. C. P. 2006)
Commonwealth v Wharton	PA Supreme Court				х		D				х	х	(Pa. 2002)
Commonwealth v. Wheeler	PA Superior Court				x		D			х			Commonwealth v. Wheeler, 645 A.2d 853 (Pa. Super, Ct. 1994)
Commonwealth v. Williams (Anthony)	Common Pleas				х		D			х			Commonwealth v. Williams , 2003 WL 25652495 (Pa. C. P. 2003)
Commonwealth v. Williams	PA Supreme Court				х		D			х			Commonwealth v. Williams, 980 A 2d 510 (Pa. 2009)
(Craig) Commonwealth v. Williams (Kenneth)	PA Superior Court				x		Р			х			Commonwealth v. Williams . 2016 WL 1436426 (Pa. Super. Ct. 2016)
Commonwealth v. Williams (Raheim)	PA Superior Court				x		P			x			Commonwealth v. Williams , 2016 WL 5266587 (Pa. Super. Ct. 2016)
Cammonwealth v. Williams (Roy)	PA Supreme Court				х		P			х	х		Commonwealth v. Williams , 732 A.2d 1167 (Pa. 1999)
Commonwealth v. Williams (Russell)	PA Superior Court				x		D				X		Commonwealth v. Williams . 528 A.2d 980 (Pa. Super. Ct. 1987)
Commonwealth v. Williams (Terrance)	PA Supreme Court				x		Р			х			Commonwealth v. Williams , 863 A.2d 505 (Pa. 2004)
Commonwealth v. Wilson (Derrick)	PA Superior Court	Unknown answer: Court declines to review the Batson issue due to another issue requiring a remand	v	х			х	x					Commonwealth v. Wilson , 619 A.2d 1063 (Pa. Super. Ct. 1992)
Commonwealth v. Wilson (Harold)	PA Supreme Court				x		D			x			Commonwealth v. Wilson, 672 A.2d 293 (Pa. 1996)
Commonwealth v. Wilson (Zachary)	PA Supreme Court				х		P			х	_		Commonwealth v. Wilson , 649 A.2d 435 (P. 1994)
Commonwealth v. Wood	PA Superior Court				x		D	х			х		Commonwealth v. Wood , 2015 WL 7587269 (Pa. Super. Ct. 2015)
Commonwealth v. Woodall	PA Superior Court			x			х		х				Commonwealth v. Woodall, 579 A.2d 948 (Pa. Super. Ct. 1990)
Commonwealth v. Wright	Common Pleas				х		D				х		Commonwealth v. Wright , 2007 WL 558100 (Pa. C. P. 2007)
Commonwealth v. Yelverton	Common Pleas	Prosecution made the Batson objection		x				_					Conunonwealth v. Yelverton, 2006 WL 5430509 (Pa. C. P. 2006)
Commonwealth v. Young (Joseph)	PA Supreme Court				x		. D			x			Commonwealth v. Young , 637 A.2d 1313 (Pa. 1993)
Cooper v. Franko	Common Pleas				х		D			х			Cuoper v. Franko , 28 Pa. D. & C. 4th 44 (Pa. C. P. 1996)
Jackson v. Pinnacle Health Systen	Common Pleas				х		D			x	х		Juckson v. Primacle Health System , 2005 WL 6721686 (Pa. C. P. 20050
Neff v. Collins	Common Pleas				x		D			x			Neff v. Collins. 2010 WL 4913549 (Pa. C. P. 2010)
Patti v. Noronha	PA Superior Court				х		D			х			Path v. Noronha , 2017 WL 481751 (Pa. Super Ct 2017)
Pratt v. St. Christopher's Hospital	Common Pleas			х									Pratt v. St. Christopher's Hospital, 34 Phila Co. Rptr. 162 (Pa. C. P. 1997)
Reid v. Mount Zion Church of Kensington, Inc.	PA Superior Court				х		D			х			Reid v. Mount Zion Church of Kensington. Inc. , 2014
Scott v. DiValentino	Common Pleas				х		D			x			Scott v. DiValentino, 30 Phila. Co. Rptr 215 (Pa. C. P. 1995)

Successful Claims

Case Name	Trial / Superior / Supreme Court	Notes	Successful Batson Claim	Remanded for Batson / evidentiary hearing	Remanded for new trial	Finding: decision on the merits	Citation
Brooks v. Speller	PA Superior Court		х	X		Х	Brooks v. Speller, 2013 WL 11287673 (Pa. Super. Ct. 2013)
Commonwealth v. Basemore	PA Supreme Court		х				Commonwealth v. Basemore, 744 A.2d 717 (Pa. 2000)
Commonwealth v. Carson (Samuel)	PA Supreme Court	Negative treatment is unrelated to the Baison claim	х			x	Commonwealth v. Carson , 741 A.2d 686 (Pa. 1999)
Commonwealth v. Diggs	PA Superior Court	Unrelated case, but <u>note</u> : Federal habeus granted retrial based on Batson claim	х				Commonwealth v. Diggs, 220 A.3d 1112 (Pa. Super. Ct. 2019)
Commonwealth v. Dinwiddie (Grover)	PA Supreme Court		х		х	x	Commonwealth v. Dirwiddie, 601 A.2d 1216 (Pa. 1992)
Commonwealth v. Garrett	PA Superior Court	Prosecution made the Batson objection	х			x	Commonwealth v. Garrett, 689 A.2d 912 (Pa. Super. Ct. 1997)
Commonwealth v. Hill (John)	PA Superior Court		Х			х	Commonwealth v. Hill, 727 A.2d 578 (Pa. Super. Ct. 1999)
Commonwealth v. Horne	PA Supreme Court		X			х	Commonwealth v. Horne, 635 A.2d 1033 (Pa. 1994)
Commonwealth v. Jones (Carlos)			X				Commonwealth v. Jones, 2013 WL 11253326 (Pa. Super. Ct. 2013)
Commonwealth v. Lark (Robert)	PA Superior Court	<u>Note</u> : this is a successful claim in E.D.Pa (2012); but this case isn't discussing that. The referenced claim is explained in the procedural history					Commonwealth v. Lark, 2019 WL 3917390 (Pa. Super. Ct. 2019)
Commonwealth v. Lovejoy	Common Pleas		х				Commonwealth v. Lovejoy, 2005 WL 5809091 (Pa. C. P. 2005)
Commonwealth v. McCormick	PA Superior Court		х	Х			Commonwealth v. McCormick, 519 A.2d 442 (Pa. Super. Ct. 1986)
Commonwealth v. McKnight	PA Superior Court		X				Commonwealth v. McKnight, 2014 WL 10558199 (Pa. Super. Ct. 2014)
Commonwealth v. McNatt	PA Superior Court	Prosecution made the Batson objection	х				Commonwealth v. McNatt, 2014 WL 10558709 (Pa Super. Ct. 2014)
Commonwealth v. Perez (Francisco)	Common Pleas		х			х	Commonwealth v. Perez, 8 Pa. D & C. 4th 443 (Pa. C. P. 1990)
Commonwealth v. Rivera (Alex)	Common Pleas	Prosecution made the Batson objection	х				Commonwealth v. Rivera, 2007 WL 5581303 (Pa. C. P. 2007)
Commonwealth v. Stone (Michael)	PA Superior Court	Prosecution made the Batson objection	X				Commonwealth v. Stone, 2018 WL 2769052 (Pa. Super. Ct. 2018)
Commonwealth v. Tourscher	PA Superior Court		х				Commonwealth v. Tourscher, 682 A.2d 1275 (Pa. Super. Ct. 1996)
Commonwealth v. Tull	Common Pleas		х			x	Commonwealth v. Tull, 49 Pa. D & C 3d 305 (Pa. C. P. 1987)
Commonwealth v. Weaver (Harvey)	PA Superior Court		x	x			Commonwealth v. Weaver, 568 A.2d 1252 (Pa. Super. Ct. 1989)
Commonwealth v. Woodall	PA Superior Court		Х		х	х	Commonwealth v. Woodall, 579 A.2d 948 (Pa. Super. Ct. 1990)
Commonwealth v. Yelverton	Common Pleas	Prosecution made the Batson objection	х				Commonwealth v. Yelverton, 2006 WL 5430509 (Pa. C. P. 2006)
Pratt v. St. Christopher's Hospita	l Common Pleas		х				Pratt v. St. Christopher's Hospital, 34 Phila. Co. Rptr. 162 (Pa. C. P. 1997)

Meritless Claims

ommonwealth v. Abu-Jamal k.a Cook) ommonwealth v. Acres ommonwealth v. Alston enjamin) ommonwealth v. Alton ommonwealth v. Alton ommonwealth v. Amos (Melvin) ommonwealth v. Arrington	PA Supreme Court PA Supreme Court PA Superior Court Common Pleas			Both			claim PRCA	
k.a Cook) Dimnonivealth v. Acres Dimnonivealth v. Alston enjamin) Dimnonivealth v. Alton Dimnonivealth v. Alton Dimnonivealth v. Amos (Melvin) Dimnonivealth v. Arrington	PA Superior Court		x	D	x			Alexander v. Carlisle Corp., 674 A.2d 268 (Pa. Super. Ct. 1996)
mmonwealth v. Acres mmonwealth v. Alston enjamin) mmonwealth v. Alton mmonwealth v. Alton mmonwealth v. Amos (Melvin) mmonwealth v. Arrington			х	P	x			Commonwealth v. Abu-Jamal , 720 A.2d 79 (Pa. 1998)
nmonwealth v. Alston enjamin) nmonwealth v. Alton nmonwealth v. Amos (Melvin) nmonwealth v. Arrington			х	D	х		х	Commonwealth v. Acres, 2018 WL 4704508 (Pa. Super. Ct. 2018)
minonwealth v. Alton (minonwealth v. Amos (Melvin) (minonwealth v. Arrington (Melvin)			х	P	х		х	Commonwealth v. Alston, 2003 WL 25711039 (Pa. C. P. 2003)
mmonwealth v. Amos (Melvin) mmonwealth v. Arrington	Common Pleas		x	D	х			Commonwealth v. Alton, 2012 WL 12033737 (Pa. C. P. 2012)
nimomvealth v. Arrington	PA Superior Court		x	D	х			Commonwealth v. Amos, 2017 WL 6545972 (Pa. Super. Ct. 2017)
	Common Pleas		х	D	х	х		Commonwealth v. Arrington, 2008 WL 9853230 (Pa. C. P. 2008)
	PA Supreme Court		x	D	x	х		Commonwealth v. Baez, 720 A.2d 711 (Pa. 1998)
	Common Pleas		x	D	x			Commonwealth v. Bartlett , 2002 WL 34576671 (Pa. C. P. 2002)
	Common Pleas		х	D	x			Commonwealth v. Bath, 2001 WL 36043686 (Pa. C. P. 2001)
	Common Pleas		х	D	х			Commonwealth v. Baumgartner, 2014 WL 7896586 (Pa. C. P. 2014)
	PA Superior Court		x	D	X			Commonwealth v. Bell , 2018 WL 947644 (Pa. Super. Ct. 2018)
	Common Pleas		x	D	x			Commonwealth v. Benitez, 2002 WL 34271333 (Pa. C. P. 2002)
	Common Pleas		x	D	х			Commonwealth v. Berrien, 37 Pa. D. & C. 4th 528 (Pa. C. P. 1997)
	Common Pleas		x	D	x			Commonwealth v. Biddings , 2003 WL 25711293 (Pa. C. P. 2003)
	De De	efendant was pro se so he was unable to	x	P	х			Commonwealth v. Blakeney, 108 A.3d 739 (Pa. 2014)
Id. B.			х	P	х			Commonwealth v. Boggs, 2003 WL 25598165 (Pa. C. P. 2003)
00	Common Pleas			P	x	_		Commonwealth v. Bolden, 1996 WL 34435288 (Pa. C. P. 1996)
	PCRA		x	D				Commonwealth v. Bond, 819 A.2d 33 (Pa. 2002)
	PA Supreme Court		x		X			Commonwealth v. Bonilla, 2013 WL 11259138 (Pa. Super. Ct. 2013)
	PA Superior Court		x	D	x			Commonwealth v. Boulware, 34 Phila. Co. Rptr. 496 (Pa. C. P. 1997)
	Common Pleas		X	D	X			Commonwealth v. Bradham , 2004 WL 5535066 (Pa. C. P. 2004)
	Common Pleas		x	D	х			
	Common Pleas		x	D	х			Commonwealth v. Bradshaw, 2005 WL 6067839 (Pa. C. P. 2005)
	PA Superior Court		х	D	x			Commonwealth v. Brandao , 237 A.3d (Pa. Super. Cr. 2020)
	PA Supreme Court		x	D	x	X		Commonwealth v. Bronshtein, 691 A.2d 907 (Pa. 1997)
managed the Reads (Willie	Common Pleas		х	D	x			Commonwealth v. Brooks, 2007 WL 7299678 (Pa. C. P. 2007) Commonwealth v. Brooks, 2015 WL 6950130 (Pa. Super. Ct. 2015)
2)	PA Superior Court		x	D	х			
mmonwealth v. Brown (Gartor)	Common Pleas		x	D	x			Commonwealth v. Brown, 2018 WL 11214846 (Pa. C. P. 2018)
mmonwealth v. Brown anessa)	PA Superior Court		х	D	x	х		Commonwealth v. Brown, 242 A.3d 455 (Table)(Pa. Super. Ct. 2020)
ummomvealth v. Brown (William)	PA Superior Court		х	D	х			Commonwealth v. Brown, 2015 WL 6870633 (Pa. Super. Ct. 2015)
mmonwealth v. Burns	PA Superior Court		х	D	x			Commonwealth v. Burns, 765 A.2d 1144 (Pa. Super. Ct. 2000)
	PA Superior Court		x	P	х			Commonwealth v. Carter, 2013 WL 11253813 (Pa. Super. Ct. 2013)
	Common Pleas		x	D	x			Commonwealth v. Castro, 2007 WL 6875791 (Pa. C. P. 2007)
nımonivealth v. Clark (Maurice)			х	D	х			Commonwealth v. Clark, 2005 WL 6067813 (Pa. C. P. 2005)
nimonivealth v. Clark (Ronald)	PA Supreme Court		х	P	Х			Commonwealth v. Clark, 961 A.2d 80 (Pa. 2008)
	PA Supreme Court		x	P		х		Commonwealth v. Collins, 957 A.2d 237 (Pa 2008)
	PA Supreme Court		x	D	x			Commonwealth v. Cook, 952 A.2d 594 (Pa. 2008)
	Common Pleas		x	D	x			Commonwealth v. Coombs, 2002 WL 34401724 (Pa. C. P. 2002)
	PA Superior Court		x	D	х			Commonwealth v. Cornish, 2015 WL 6951151 (Pa Super. Ct. 2015)
	PA Superior Court		x	D	x			Commonwealth v. Correa, 620 A.2d 497 (Pa. Super. Ct. 1993)
	PA Superior Court		x	D	x			Commonwealth v. Cox, 2016 WL 6678504 (Pa. Super. Ct. 2016)
	Common Pleas		x	D	x			Commonwealth v. Crisswalle, 2010 WL 8366884 (Pa. C. P. 2010)
	PA Superior Court		x	P	x			Commonwealth v. Cruz-Rivera, 2014 WL 10986659 (Pa. Super. Ct. 2014)
minonwealth v. Critz-Rivera			x	P	x	х		Commonwealth v. Daniels, 963 A.2d 409 (Pa. 2009)
			ν.	В	х		x	Commonwealth v. Davis, 916 A.2d 1206 (Pa. Super. Ct. 2007)
	PA Superior Court		X	P			X	Commonwealth v. Dennis, 859 A.2d 1270 (Pa. 2004)
	PA Supreme Court		x	P	X			Commonwealth v. Dixon , 2017 WL 5946524 (Pa. Super. Ct. 2016)
	PA Superior Court		X		X			Commonwealth v. Dogan, 2017 WL 3940324 (Pa. Super. Ct. 2018)
	PA Superior Court PA Superior Court		x	D D	x x			Commonwealth v. Dogan, 2018 WL 1702784 (Pa. Super. Ct. 2018) Commonwealth v. Doyen, 848 A.2d 1007 (Pa. Super. Ct. 2004)

Meritless Claims

Aeritless Claims	Trial / Superior / Supreme Court Common Pleas	Notes	Unsuccessful Batson Claim	Direct Appeal ("D"), PCRA ("P"), or Both	Finding: meritless claim		Inappropriate use of Batson		Citation Commonwealth v. Dunson 2007 WL 7305632 (Pa. C. P. 2007)
ommonwealth v. Eddings	PA Superior Court		x	D	x				Commonwealth v. Eddings, 721 A.2d 1095 (Pa. Super, Ct. 1998)
ommonwealth v. Edgefield	PA Superior Court		x	D	x				Commonwealth v. Edgefield, 2013 WL 11272628 (Pa. Super. Ct. 2013)
ommonwealth v. Edmunds	PA Superior Court		х	D	х				Commonwealth v. Edmunds, 2015 WL 6663271 (Pa. Super. Ct. 2015)
ommonwealth v. Eggleston	PA Superior Court		х	D	x	х			Commonwealth v. Eggleston, 2013 WL 11273037 (Pa. Super. Ct. 2013)
ommonwealth v. Fields	Common Pleas		х	D	х				Commonwealth v. Fields, 2005 WL 5793796 (Pa. C. P. 2005)
nunonwealth v. Fisher	PA Supreme Court		х	D	x				Commonwealth v. Fisher, 681 A.2d 130 (Pa. 1996)
mmonwealth v. Flamer	PA Superior Court		х	D	х				Commonwealth v. Flamer, 2016 WL 2798907 (Pa. Super. Ct. 2016)
mmonwealth v. Fletcher	PA Supreme Court		х	D	х				Commonwealth v. Fletcher, 861 A.2d 898 (Pa. 2004)
mmonwealth v. Flores (Jesus)	Common Pleas		х	D	х				Commonwealth v. Flores, 1998 WL 3525 7129 (Pa. C. P. 1998)
mmonwealth v. Foster	PA Superior Court		х	D	х				Commonwealth v. Foster, 651 A.2d 163 (Pa. Super. Ct. 1994)
mmonwealth v. Futrell	Common Pleas		x	D	х				Commonwealth v. Futrell, 2000 WL 35778240 (Pa. C. P. 2000)
mmonwealth v. Gallagher	Common Pleas		X	D	x				Commonwealth v. Gallagher, 2005 WL 5776264 (Pa. C. P. 2005)
mmonwealth v. Garland	PA Superior Court		x	D	х				Commonwealth v. Garland, 2017 WL 976046 (Pa. Super. Ct. 2017)
ommonwealth v. Gibson vemetrius)	PA Superior Court		х	P	х				Commonwealth v. Gibson, 2020 WL 85915 (Pa. Super. Ct. 2020)
nimonwealth v. Gibson (Ronald)	PA Supreme Court		х	D	х				Commonwealth v. Gibson, 951 A.2d 1110 (Pa. 2008)
mmonwealth v. Golphin	Common Pleas		x	В	х			X	Commonwealth v. Golphin, 2007 WL 4964416 (Pa. C. P. 2007)
mmonwealth v. Graham obert)	PA Superior Court		х	P	х				Commonwealth v. Graham, 2016 WL 379936 (Pa. Super. Ct. 2016)
mmonwealth v. Griffin	PA Supreme Court		х	P	x				Commonwealth v. Griffin, 644 A.2d 1167 (Pa. 1994)
mmonwealth v. Hall	PA Superior Court	This is explained in the procedural history, not the opinion's discussion	х	D	х				Commonwealth v. Hall, 2014 WL 10788848 (Pa. Super. Ct. 2014)
mmonwealth v. Hamilton aquan)	PA Superior Court		х	D	x				Commonwealth v. Hamilton, 2018 WL 4443063 (Pa. Super. Ct. 2018)
ommonwealth v. Hamilton heodore)	Common Pleas		х	P	х				Commonwealth v. Hamilton, 2006 WL 5429625 (Pa. C. P. 2006)
onimonivealth v. Hanible	PA Supreme Court		x	P	X				Commonwealth v. Hanible, 30 A.3d 426 (Pa. 2011)
onmonwealth v. Hardcastle onald)	PA Supreme Court		х	D	х				Commonwealth v. Hardcastle , 701 A.2d 541 (Pa. 1997)
mmonwealth v. Harinarain	PA Superior Court		x	В	x			Х	Commonwealth v. Harinarain, 2014 WL 10917001 (Pa Super. Ct. 2014)
mmonwealth v. Harris (Francis)	PA Supreme Court		х	D	х				Commonwealth v. Harris , 817 A.2d 1033 (Pa. 2002)
mmonwealth v. Hart	Common Pleas		х	D	х				Commonwealth v. Hart, 17 Pa. D. & C. 5th 389 (Pa. C. P. 2010)
nimonwealth v. Harvey	PA Superior Court		х	D	х				Commonwealth v. Harvey, 2013 WL 11276240 (Pa. Super. Ct. 2013)
mmomvealth v. Henderson	Common Pleas	This is a sufficient in the constant of the	х	D	х				Commonwealth v. Henderson, 2007 WL 5194170 (Pa. C. P. 2007) Commonwealth v. Hill, 16 A.3d 484 (Pa. 2011)
mmonwealth v. Hill (Donnetta)	PA Supreme Court	This is explained in the procedural history, not the opinion's discussion		P	х				
mmonwealth v. Holland	PA Superior Court		Х	D	X				Commonwealth v. Holland, 2017 WL 764517 (Pa. Super. Ct. 2017)
mmomvealth v. Holloway	PA Supreme Court		х	В	X			X	Commonwealth v. Holloway, 739 A.2d 1039 (Pa. 1999)
mmonwealth v. Holly	PA Superior Court		X	D	x				Commonwealth v. Holly, 2015 WL 8484980 (Pa. Super. Ct. 2015)
mmonwealth v. Holmes (Kyle)	Common Pleas		X	D	X				Commonwealth v. Holmes, 2007 WL 5004352 (Pa. C. P. 2007) Commonwealth v. Hupperterz, 242 A.3d 410 (Table) (Pa. Super. Ct. 2020)
mmonwealth v. Hupperterz	PA Superior Court		x	D	х				
mmonwealth v. Hutchinson	PA Supreme Court		х	P	X				Commonwealth v. Hutchinson, 25 A.3d 277 (Pa. 2011)
mmonwealth v. Jackson dmond)	PA Superior Court		х	P	х				Commonwealth v. Jackson , 2014 WL 10979627 (Pa. Super. Ct. 2014)
ommomvealth v. Jackson Edward)	PA Superior Court		х	D	х				Commonwealth v. Jackson, 562 A.2d 338 (Pa. Super. Ct. 1989)
ommonwealth v. Jackson awrence)	PA Superior Court		х	D	х				Commonwealth v. Jackson, 561 A.2d 335 (Pa. Super. Ct. 1989)
ommomvealth v. Jackson Ronsean)	Common Pleas		х	D	х				Commonwealth v. Jackson , 2008 WL 7279969 (Pa. C. P. 2008)
ommonwealth v. James	PA Superior Court		х	P	х				Commonwealth v. James, 2017 WL 1018538 (Pa. Super. Ct. 2017)

Meritless Claims Finding: Citation Unsuccessfu Direct Finding: Finding: Trial / Superior / Notes Finding: Appeal meritless Waived Inappropriate waived Supreme Court Claim claim use of Batson during ("D"), **PCRA** PRCA ("P"), or Commonwealth v. Johnson, 34 Phila. Co. Rptr. 506 (Pa. C. P. 1997) D Commonwealth v. Johnson (Glen) Common Pleas x X Commonwealth v. Johnson, 2003 WL 25972055 (Pa. C. P. 2003) P Commonwealth v. Johnson (Kevin) Common Pleas х x Commonwealth v. Johnson, 139 A.3d 1257 (Pa. 2016) Commonwealth v. Johnson Р PA Supreme Court x х (William) Commonwealth v. Jones, 668 A.2d 491 (Pa. 1995) D Commonwealth v. Jones (Agron) PA Supreme Court х Commonwealth v. Jones , 580 A.2d 308 (Pa. 1990) Commonwealth v. Jones PA Supreme Court D x (D'Angelo) Commonwealth v. Jones, 951 A.2d 294 (Pa. 2008) R Commonwealth v. Jones (James) PA Supreme Court х Commonwealth v. Jordan, 2018 WL 1789811 (Pa. Super. Ct. 2018) Commonwealth v. Jordan PA Superior Court x D x Commonwealth v. Kebede, 2015 WL 7575706 (Pa. Super. Ct. 2015) Commonwealth v. Kebede PA Superior Court x х Commonwealth v. Kendricks, 2016 WL 3034749 (Pa. Super. Ct. 2016) Commonwealth v. Kendricks PA Superior Court x x Commonwealth v. Kennedy, 2004 WL 5388352 (Pa. C. P. 2004) Commonwealth v. Kennedy Common Pleas D x (Andrew) Commonwealth v. Kennedy, 237 A.3d 1081 (Pa. Super Ct. 2020) Commonwealth v. Kennedy P PA Superior Court (Christopher) Commonwealth v. Lambert, 603 A.2d 568 (Pa. 1992) PA Supreme Court D x Commonwealth v. Lambert Commonwealth v. Langerston, 20078 WL 7242036 (Pa. C. P. 2008) Commonwealth v. Langerston P Common Pleas ¥ х (Darryl) Commonwealth v. Lau, 2012 WL 7655397 (Pa. C. P. 2012) D Commonwealth v. Lau Common Pleas х Commonwealth v. Lloyd, 545 A.2d 890 (Pa. Super. Ct. 1988) PA Superior Court D x Commonwealth v. Lloyd Commonwealth v. Loach, 2013 WL 11273268 (Pa. Super. Ct. 2013) Commonwealth v. Loach (Jerome) D PA Superior Court x No. 6738-2010 Commonwealth v. Long, 532 A.2d 853 (Pa. Super. Ct. 1987) D Commonwealth v. Long PA Superior Court x Commonwealth v. Lopez, 2015 WL 6689486 (Pa. Super. Ct. 2015) Commonwealth v. Lopez (Jose) PA Superior Court Р x Commonwealth v. Marrero , 2004 WL 5388399 (Pa. C. P. 2004) Common Pleas D Commonwealth v. Marrero Commonwealth v. Marshall, 810 A.2d 1211 (Pa. 2002) Commonwealth v. Marshall (Jerry) PA Supreme Court P х Commonwealth v. Mason, 2008 WL 7638197 (Pa. C. P. 2008) Commonwealth v. Mason (Andre) Common Pleas D х x Commonwealth v. Mayhew, 1997 WL 34659141 (Pa. C. P. 1997) Commonwealth v. Mayhew Common Pleas x D х Commonwealth v. McCaskill, 2017 WL 2791143 (Pa. 2017) D Commonwealth v. McCaskill PA Superior Court x x Commonwealth v. McCracken, 2012 WL 9515401 (Pa. C. P. 2012) D Commonwealth v. McCracken Common Pleas х х Commonwealth v. McDowell , 2003 WL 25711449 (Pa. C. P. 2003) D х Commonwealth v. McDowell Common Pleas х Commonwealth v. McFarlin, 2002 WL 34401120 (Pa. C. P. 2002) D Commonwealth v. McFarlin Common Pleas х х Commonwealth v. McGill, 2002 WL 34400890 (Pa. C. P 2002) Commonwealth v. McGill Common Pleas х Commonwealth v. McKendrick, 514 A.2d 144 (Pa. Super, Ct. 1986) D Commonwealth v. McKendrick PA Superior Court X Commonwealth v. McNeil, 679 A,2d 1253 (Pa. 1996) Commonwealth v. McNeil P PA Supreme Court x (Christopher) Commonwealth v. Medina, 2006 WL 5429062 (Pa. C. P. 2006) Commonwealth v. Medina D x Common Pleas (Anthony) Commonvealth v. Medina, 2004 WL 5393577 (Pa. C. P. 2004) Commonvealth v. Medina D Common Pleas x (Christian) Commonwealth v. Mejia-Matos, 2014 WL 10937114 (Pa. Super. Ct. 2014) Commonwealth v. Mejil-Matos PA Superior Court D x Commonwealth v. Melson, 637 A.2d 633 (Pa. Super. Ct. 1994) Commonwealth v. Melson PA Superior Court x D х Commonwealth v. Miller, 2016 WL 4945496 (Pa. Super. Ct. 2016) Commonwealth v. Miller D PA Superior Court х (Jermaine) Commonwealth v. Miller, 721 A.2d 1121 (Pa. Super. Ct. 1998) х D x Commonwealth v. Miller (Sabrina) PA Superior Court Commonwealth v. Mills, 2020 WL 1490949 (Pa. Super. Ct. 2020) Commonwealth v. Mills (Aaron) PA Superior Court D x х Commonwealth v. Mitchell, 2008 WL 8115494 (Pa. C. P. 2008) D Commonwealth v. Mitchell Common Pleas х Commonwealth v. Monroe, 542 A.2d 113 (Pa. Super. Ct. 1988) D Commonwealth v. Monroe PA Superior Court х х Commonwealth v. Moore, 2005 WL 6067702 (Pa. C. P. 2005) D Commonwealth v. Moore Common Pleas X х Commonwealth v. Morris, 1993 WL 13652228 (Pa. C. P. 1993) Commonwealth v. Morris Common Pleas x х Commonwealth v. Muhammed, 2019 WL 2432100 (Pa. Super. Ct. 2019) D х Commonwealth v. Muhanimed PA Superior Court x Commonwealth v. Myrick, 2001 WL 36125301 (Pa. C. P. 2001) D Commonwealth v. Myrick Common Pleas х х Commonwealth v. Neal, 2016 WL 5852160 (Pa. Super. Ct. 2016) P Commonwealth v. Neal PA Superior Court х х Commonwealth v. Oke, 2014 WL 10558734 (Pa. Super. Ct. 2014) D Commonwealth v. Oke PA Superior Court х x Commonrealth v. Oliver, 2014 WL 6391093 (Pa. C. P. 2014) Commonwealth v. Oliver Common Pleas x D

Meritless Claims

ase Name	Trial / Superior / Supreme Court	Notes	Unsuccessfi I <i>Batson</i> Claim	u Direct Appeal (' D') PCRA ('P'), or Both	Finding: meritless claim		Finding: Inappropriate use of <i>Batson</i> claim		Citation
ommonvealth v. Patterson	Common Pleas		x	D	x				Commonwealth v. Patterson, 2004 WL 5547595 (Pa. C. P. 2004)
ommonwealth v. Perez-Labour	Common Pleas		x	D	x	х			Commonwealth v. Perez-Labour, 2006 WL 5430474 (Pa. C. P. 2006)
ommonwealth v. Perrin	PA Superior Court		х	P	х			х	Commonwealth v. Perrin, 947 A.2d 1284 (Pa. Super. Ct. 2008)
ommorwealth v. Philistin	PA Supreme Court		x	D	x	х			Commonwealth v. Philistin, 774 A.2d 741 (Pa. 2001)
ommonwealth v. Phillips Derrick)	PA Superior Court		х	D	x				Commonwealth v. Phillips , 2017 WL 5509893 (Pa. Super. Ct. 2017)
ommomvealth v. Phillips (Jerry)	PA Superior Court		x	D	х	_			Commonwealth v. Phillips, 601 A.2d 816 (Pa. Super. Ct. 1992)
ommomvealth v. Porter	PA Supreme Court		x	P	х			X	Commonwealth v. Porter, 728 A.2d 890 (Pa. 1999)
ommonwealth v. Proctor	PA Supreme Court		x	P	x				Commonwealth v. Proctor, 737 A.2d 724 (Pa. 1999)
ommonwealth v. Profic	Common Pleas		x	D	х				Commonwealth v. Profic , 2005 WL 6067808 (Pa. C. P. 2005)
ommonwealth v. Rankins	PA Superior Court		x	D	x	x			Commonwealth v. Rankins, 2016 WL 5865066 (Pa. Super. Ct. 2016)
ommomvealth v. Ray	Common Pleas		x	P	х				Commonwealth v. Ray , 2004 WL 5541142 (Pa. C. P. 2004)
ommonvealth v. Rico (Joseph)	PA Supreme Court		х	D	x				Commonwealth v. Rico, 711 A.2d 990 (Pa. 1998)
ommonwealth v. Rivera (William)			x	P	х				Commonwealth v. Rivera, 119 A.3d 365 (Pa. 2018)
ommonwealth v. Roane	PA Superior Court		x	D	х				Commonwealth v. Roane, 142 A.3d 79 (Pa. Super. Ct. 2016)
ommonwealth v. Rogers	PA Superior Court			D	x				Commonwealth v. Rogers, 2017 WL 465327 (Pa. Super. Ct. 2017)
ommonwealth v. Roney	PA Supreme Court		x	P	х				Commonwealth v. Rooney, 79 A.3d 595 (Pa. 2013)
ommonwealth v. Rouse	Common Pleas		x	D	х				Commonwealth v. Rouse , 2010 WL 8334939 (Pa. C. P. 2010)
ommonwealth v. Rush	PA Supreme Court		x	P	х				Commonwealth v. Rush , 646 A.2d 557 (Pa. 1994)
ommonwealth v. Sanchez	PA Supreme Court		x	D	x				Commonwealth v. Sanchez, 36 A.3d 24 (Pa. 2011)
ommonwealth v. Sanders	Common Pleas		x	D	x				Commonwealth v. Sanders , 2005 WL 6066837 (Pa. C. P. 2005)
ommonwealth v. Santana	PA Superior Court		x	D	x				Commonwealth v. Santana, 2014 WL 10965769 (Pa. Super. Ct. 2014)
ommonvealth v. Saunders	PA Superior Court		x	D	X				Commonwealth v. Saunders, 946 A.2d 776 (Pa. Super. Ct. 2008)
ommonweath v. Savage Chornton)	PA Superior Court		x	P	x			х	Commonwealth v. Savage, 2018 WL 6073766 (Pa. Super. Ct. 2018)
ommonwealth v. Scott	PA Superior Court		x	D	х				Commonwealth v. Scott, 212 A.3d 1094 (Pa. Super. Ct. 2019)
ommonwealth v. Scott (Dawud)	Common Pleas		x	D	x				Commonwealth v. Scott , 2009 WL 7228519 (Pa. C. P. 2009)
ommonwealth v. Sepulveda	PA Supreme Court		x	P	x				Commonwealth v. Sepulveda, 55 A.3d 1108 (Pa. 2012)
ommonwealth v. Sepawead	Common Pleas	A Batson claim does not cover age discrimination	x	D	x		х		Commonwealth v. Shannon, 2012 WL 7688025 (Pa. C. P. 2012)
ommonwealth v. Shelton	PA Superior Court		х	D	x				Commonwealth v. Shelton, 240 A.3d 921 (Table) (Pa. Super. Ct. 2020)
Commonwealth v. Simmons Ernest)	PA Supreme Court		x	D	x				Commonwealth v. Simmons, 804 A.2d 625 (Pa. 2001)
Commonwealth v. Simmons (Keith)	Common Pleas		x	D	х				Commonwealth v. Simmons , 2013 WL 10595630 (Pa. C. P. 2013)
ommonwealth v. Simpson	PA Supreme Court		x	P	x				Commonwealth v. Simpson, 66 A.3d 253 (Pa. 2013)
Commonweath v. Sistrunk Edward)	PA Superior Court		x	P	x				Commonwealth v. Sistrunk, 2016 WL 6198035 (Pa. Super. Ct. 2016)
ommonwealth v. Smith (Clifford)	PA Supreme Court		х	P	х				Commonwealth v. Smith, 650 A.2d 863 (Pa. 1994)
ommonwealth v. Smith (Crifford)	PA Superior Court		x	P	x				Commonwealth v. Smith, 2013 WL 11254782 (Pa. Super. Ct. 2013)
ommonwealth v. Smith (James)	PA Supreme Court		X	P	x	x		x	Commonwealth v. Smith, 17 A.3d 873 (Pa. 2011)
ommonweatth v. Snith (James) 'ommonwealth v. Snith (Michael)			x	D	x	^			Commonwealth v. Smith, 866 A.2d 1138 (Pa. Super. Ct. 2005)
ommonwealth v. Smith (Wayne)	Common Pleas		x	D	х				Commonwealth v. Smith, 2013 WL 12385058 (Pa. C. P. 2013)
	PA Superior Court		x	D	x				Commonwealth v. Smulsky, 609 A.2d 843 (Pa. Super. Ct. 1992)
ommonwealth v. Smulsky ommonwealth v. Spell			X	P	X				Commonwealth v. Spell, 2016 WL 5938503 (Pa. Super. Ct. 2016)
	PA Superior Court		x	P	x				Commonwealth v. Spotz 896 A.2d 1191 (Pa. 2006)
ommonwealth v. Spotz	PA Supreme Court			D	x				Commonwealth v. Spurgeon, 2015 WL 6132666 (Pa. Super. Ct. 2015)
ommonwealth v. Spurgeon	PA Superior Court		x						Commonwealth v. Standford, 2018 WL 6818622 (Pa. Super. Ct. 2018)
ommonwealth v. Stanford	PA Superior Court		х	D	x				Commonwealth v. Standyora, 2018 WL 6816022 (r.a. Super. Ct. 2018)
ommonwealth v. Stern (Lewis) ommonwealth v. Thomas	Common Pleas PA Supreme Court		x	P D	x				Commonwealth v. Thomas , 717 A.2d 468 (Pa. 1998)
Frederick) Commonwealth v. Thomas	PCRA		x	P	x				Commonwealth v. Thomas , 2002 WL 34401698 (Pa. C. P. 2002)
Richard) Tommonwealth v. Thompson	PA Superior Court		x	D	x	x			Commonwealth v. Thompson, 2016 WL 5865006 (Pa. Super. Ct. 2016)

Meritless Claims

Meritless Claims	CB 1 1/G 1 1 N 1	N	Di	Finding	Eindine.	Finding	Finding:	Citation
	Trial / Superior / Notes Supreme Court	Unsuccessfü l <i>Batson</i> Claim	Appeal ("D"), PCRA ("P"), or Both	Finding: meritless claim		Inappropriate use of Butson	waived	Challon
Commonwealth v. Thompson Chapel)	PA Superior Court	x	D	х				Commonwealth v. Thompson, 2014 WL 10936776 (Pa. Super. Ct. 2014)
Commonwealth v. Thompson Ollie)	Common Pleas	х	D	х				Commonwealth v. Thompson, 2013 WL 8563532 (Pa. C. P. 2013)
Commonwealth v. Tilley	PA Supreme Court	х	P	х				Commonwealth v. Tilley, 780 A.2d 649 (Pa. 2001)
Commonwealth v. Towles	PA Supreme Court	х	D	x				Commonwealth v. Towles, 106 A.3d 591 (Pa. 2014)
Commonwealth v. Tucker	Common Pleas	x	D	x				Commonwealth v. Tucker, 2006 WL 5430371 (Pa. C. P. 2006)
Commonwealth v. Twilley	PA Superior Court	х	D	х				Commonwealth v. Twilley, 612 A.2d 1056 (Pa. Super. Ct. 1992)
Commonwealth v. Tyler	Common Pleas	x	D	x				Commonwealth v. Tyler, III, 2007 WL 6971611 (Pa. C. P. 2007)
Commonwealth v. Uderra	PA Supreme Court	x	P	x	Х			Commonwealth v. Uderra, 862 A.2d 74 (Pa. 2004)
Commonwealth v. Ulen	PA Superior Court	x	D	x				Commonwealth v. Ulen, 607 A.2d 779 (Pa. Super. Ct. 1992)
Commonwealth v. Vega	Common Pleas	x	D	x				Commonwealth v. Vega, 2006 WL 5430251 (Pa. C. P. 2006)
Commonwealth v. Vines	Common Pleas	x	P	x				Commonwealth v. Vines , 2012 WL 8470820 (Pa. C. P. 2012)
Commonwealth v. Vivian	Common Pleas	x	P	х				Commonwealth v. Vivian, 2007 WL 6913377 (Pa. C. P. 2007)
Commonwealth v. Waddy (Romont)	Common Pleas	x	D	х				Commonwealth v. Waddy, 2002 WL 34254663 (Pa. C. P. 2002)
Commonwealth v. Walker	Common Pleas	x	D	х				Commonwealth v. Walker, 2002 WL 34401742 (Pa. C. P. 2002)
Commonwealth v. Ward	PA Superior Court	X	D	x				Commonwealth v. Ward, 2018 WL 6191089 (Pa. Super. Ct. 2018)
Commonwealth v. Washam	Common Pleas	х	D	х				Commonwealth v. Washam, 1988 WL 1652873 (Pa. C. P. 1988)
Commonwealth v. Washington	PA Supreme Court	x	P	х				Commonwealth v. Washington, 927 A.2d 586 (Pa. 2007)
Commonwealth v. Watkins (Gerald)	PA Supreme Court	х	P	х	х			Commonwealth v. Watkins, 108 A.3d 692 (Pa. 2014)
Commonwealth v. Watson	PA Superior Court	X	Р	х				Commonwealth v. Watson, 2018 WL 652925 (Pa. Super. Ct. 2018)
Commonwealth v. Weaver (Tramell)	Common Pleas	х	D	x				Commonwealth v. Weaver, 2006 WL 5428896 (Pa. C. P. 2006)
Commonwealth v. Wheeler	PA Superior Court	X	D	х				Commonwealth v. Wheeler, 645 A.2d 853 (Pa. Super. Ct. 1994)
Commonwealth v. Williams (Anthony)	Common Pleas	х	D	х				Conunomrealth v. Williams, 2003 WL 25652495 (Pa. C. P. 2003)
Commonwealth v. Williams (Craig)	PA Supreme Court	х	D	х				Commonwealth v. Williams, 980 A.2d 510 (Pa. 2009)
Commonwealth v. Williams (Kenneth)	PA Superior Court	х	P	х				Commonwealth v. Williams, 2016 WL 1436426 (Pa. Super. Ct. 2016)
Commonwealth v. Williams (Raheim)	PA Superior Court	х	P	х				Commonwealth v. Williams, 2016 WL 5266587 (Pa. Super. Ct. 2016)
Commonwealth v. Williams (Roy)	PA Supreme Court	x	P	х	х			Commonwealth v. Williams, 732 A.2d 1167 (Pa. 1999)
Commonwealth v. Williams (Terrance)	PA Supreme Court	х	Р	х				Commonwealth v. Williams, 863 A.2d 505 (Pa. 2004)
Commonvealth v. Wilson (Harold)	PA Supreme Court	х	D	х				Commonwealth v. Wilson , 672 A.2d 293 (Pa. 1996)
Commonwealth v. Wilson (Zachary)	PA Supreme Court	х	P	х				Commonwealth v. Wilson , 649 A.2d 435 (P. 1994)
	PA Supreme Court	x	D	х				Commonwealth v. Young, 637 A.2d 1313 (Pa. 1993)
Cooper v. Franko	Common Pleas	x	D	x				Cooper v. Franko, 28 Pa. D. & C. 4th 44 (Pa. C. P. 1996)
Jackson v. Pinnacle Health System		x	D	х	х			Jackson v. Pinnacle Health System, 2005 WL 6721686 (Pa. C. P. 20050
V m 0 W	G 21							Neff v. Collins , 2010 WL 4913549 (Pa. C. P. 2010)
Neff v. Collins	Common Pleas	X	D	Х				Reid v. Mount Zion Church of Kensington, Inc., 2014 WL 10896890 (Pa. Super. Ct. 2014)
Reid v. Mount Zion Church of Kensington, Inc.	PA Superior Court	х	D	х				Tiera v. Monte Zion Chinon of Renaingion, me., 2017 112 10070070 (18. dapat. et. 2017)

Waived Claims

ise Nanie	Trial / Superior /	Notes		ful Direct	Finding:	Finding: Waived		Finding: waived	Chanon	
	Supreme Court		Batson	Appeal	meritless claim		Inapp ro priate use of <i>Batson</i>	e during PRCA		
			Claim	("D /) ₁ PCRA			dse of <i>Datson</i> claim			
				("P"), or						
				Both						
				/ B *)?						
monwealth v. Ali (Imanuel)	Common Pleas		x	D		х				v. Ali, 2012 WL 6928177 (Pa. C. P. 2012)
imonwealth v. Arrington	Common Pleas		х	D	x	x				v. Arrington, 2008 WL 9853230 (Pa. C. P. 2008)
monvealth v. Austin	PA Superior Court		х	P				x		v. Austin, 2018 WL 466237 (Pa. Super. Ct. 2018)
nmonwealth v. Baez	PA Supreme Court		x	D	X	x				v. Baez, 720 A 2d 711 (Pa. 1998)
nmonvealth v. Bates	PA Superior Court		х	P				x		n. Bates, 2017 WL 2992421 (Pa. Super. Ct. 2017)
imonwealth v. Beasley	PA Supreme Court	This was discussed in the procedural history	x	P		x				v. Beasley, 937 A.2d 379 (Pa. 2007)
nmonwealth v. Bracey	PA Supreme Court		x	P		x		x	Commonwealth v	v. Bracev, 795 A.2d 935 (Pa. 2001)
ivard)									Commonwealth	v. Bronshtein, 691 A.2d 907 (Pa. 1997)
nmonwealth v. Bronshtein	PA Supreme Court		х	D P	x	x		_		v. Brown, 2013 WL 11267531 (Pa. Super. Ct. 2013)
nmonwealth v. Brown (Lavar)	PA Superior Court		х	Р		x				v. Brown, 242 A.3d 455 (Table)(Pa. Super. Ct. 2020)
nmonwealth v. Brown	PA Superior Court		x	D	x	x			Commonwealth	1. Drown, ETE 11.54 TOS (Table)(La Baper, Ct. 2020)
nessa)	PA Supreme Court		х	P		x			Commonwealth	v. Collins, 957 A.2d 237 (Pa. 2008)
nimoinvealth v. Collins										v. Daniels, 963 A.2d 409 (Pa. 2009)
mmonwealth v. Daniels (Henry)	PA Supreme Court		x	P	x	x				
nmornvealth v. Davis	PA Superior Court		x	В	x			x		v. Davis , 916 A.2d I206 (Pa. Super. Ct. 2007)
mmonwealth v. Egglesion	PA Superior Court		x	D	×	x				v. Eggleston, 2013 WL 11273037 (Pa. Super. Ct. 2013)
umonvealth v. Golphin	Common Pleas		x	В	x			х		v. Golphin, 2007 WL 4964416 (Pa. C. P. 2007)
mmonwealth v. Green (Gary)	Common Pleas		x			х		x		v. Green, 2009 WL 7752866 (Pa. C. P. 2009)
mmonwealth v. Hackett	PA Supreme Court		v	В		x		x	Commonwealth	v. Hackett, 926 A.2d 978 (Pa. 2008)
chard)	PA Supreme Court		х	В						
nmonwealth v. Harinarain	PA Superior Court		х	В	x			X		v. Harinarain, 2014 WL 10917001 (Pa. Super. Ct. 2014)
mmonvealth v. Harris (Victor)	PA Superior Court		x	D		X				v. Harris, 2015 WL 7722318 (Pa. Super. Ct. 2015)
mmonwealth v. Haynes	Cominon Pleas	The issue was already tried, barred from	x	P			x	x	Commonwealth	v. Haynes, 2006 WL 5429140 (Pa. C. P. 2006)
	Common ricas	appealing the same issue							Ct.t.	v. Holloway, 739 A.2d 1039 (Pa. 1999)
mmonwealth v. Holloway	PA Supreme Court		х	В	x			x	Commonwealin	v. nollowdy, 739 A.20 1039 (Fa. 1999)
nnmonwealth v. Holmes (Karim)	PA Superior Court		х	D		x			Commonwealth	v. Holmes, 2017 WL 6330696 (Pa. Super. Ct. 2017)
mmonwealth v. Jeffcoat-Parker	PA Superior Court		х	D		x			Commonwealth	v. Jeffcoat-Parker, 2019 WL 3231251 (Pa. Super. Ct. 2019)
mmonwealth v. Johnson (R.C.)	PA Superior Court		x	D		x			Commonwealth	v. Johnson, 534 A.2d 511 (Pa. Super. Ct. 1987)
mmonwealth v. Jones (Damon)		The issue was already tried, barred from appealing the same issue	x	P			х	x	Commonwealth	v. Jones, 912 A 2d 268 (Pa. 2006)
mmonwealth v. Jones	Cominon Pleas	appearing the same issue	x	P				x	Commonwealth	v. Jones, 2006 WL 5429067 (Pa. C. P. 2006)
ughinia)				n				x	Commonwealth	v. Jones , 951 A.2d 294 (Pa. 2008)
nmonwealth v. Jones (James)	PA Supreme Court		X	B D	x	x		^		v. Lee , 2020 WL 1042638 (Pa Super. Ct. 2020)
mmonwealth v. Lee	PA Superior Court	This is discussed in footnote 3	х	D		X				v. Lewis, 567 A.2d 1376 (Pa. 1989)
nimoinvealth v. Lewis eginald)	PA Supreme Court	This is discussed in roodiole 3	x	D		х				
mmonyealth v. Ligons	PA Supreme Court		x	В		x		x	Commonwealth	v. Ligous, 971 A.2d 1125 (Pa. 2009)
mmonwealth v. Loach (Jerome),										v. Loach, 2015 WL 8550372 (Pa. Super. Ct. 2015)
23680-1988	PA Superior Court		x	P				х	Commonwealth	v. Marshall , 947 A.2d 714 (Pa. 2008)
mmonwealth v. Marshall rome)	PA Supreme Court		x	D		x				,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,,
mmonwealth v. Maxwell	PA Superior Court		х	P				х		v. Maxwell, 232 A.3d 739 (Pa. Super. Ct. 2020)
ommonwealth v. McCallister onte)	PA Superior Court		х	D		х			Commonwealth	v. McCallister, 2014 WL 10802720 (Pa Super. Ct. 2014)
unnonwealth v. McCurdy	Common Pleas		х	P				х		v. McCurdy, 2005 WL 5873638 (Pa. C. P. 2005)
mmonwealth v. McDonald	PA Superior Court		x	D		x			Commonwealth	v. McDonald, 2017 WL 4457295 (Pa. Super. Ct. 2017)
mmonwealth v. McNeil (Kerry)			x	P				x		v. McNeil, 2016 WL 5886495 (Pa. Super. Ct. 2016)
mmonwealth v. Mills (Aaron)	PA Superior Court		x	D	x	x				v. Mills, 2020 WL 1490949 (Pa. Super. Ct. 2020)
mmonvealth v. Ollie	PA Superior Court		х	D		x				v. Ollie, 2013 WL 11250779 (Pa. Super. Ct. 2013)
mmonwealth v. Perez-Labour	Common Pleas		x	D	x	x				v. Perez-Labour, 2006 WL 5430474 (Pa. C. P 2006)
nmonwealth v. Perrin	PA Superior Court		x	P	x			x		v. Perrin, 947 A.2d 1284 (Pa. Super. Ct. 2008)
mmonwealth v. Philistin	PA Supreme Court		x	D	x	x				v. Philistin, 774 A.2d 741 (Pa. 2001)
nmonwealth v. Porter	PA Supreme Court		х	P	x			х		v. Porter, 728 A.2d 890 (Pa. 1999)
mmonwealth v. Rainey ichael)	PA Supreme Court		х	D		х		x	Commonwealth	v. Rainey, 928 A.2d 215 (Pa. 2007)
mmonwealth v. Rankins	PA Superior Court		x	D	x	x				v. Rankins, 2016 WL 5865066 (Pa. Super Ct. 2016)
mmonwealth v. Reid (Anthony)	PA Supreme Court		x	D		x			Commonwealth	v. Reid, 235 A 3d 1124 (Pa. 2020)

Waived Claims

ase Name	Trial / Superior / Notes	Unsuccessi	ul Direct	Finding.	Finding: Waived		Finding: waived	Citation
	Supreme Court	<i>Batson</i> Claim	Appeal ("D"), PCRA ("P"), or Both ("B")?	meritless claim		Inappropriate use of <i>Batson</i> claim	during PRCA	
ommonwealth v. Rollins Saharris)	PA Superior Court	х	P				х	Commonwealth v. Rollins, 2019 WL 3731902 (Pa. Super. Ct. 2019)
ommonwealth v. Savage Thornton)	PA Superior Court	x	P	х			x	Commonwealth v. Savage, 2018 WL 6073766 (Pa. Super. Ct. 2018)
ommonwealth v. Simmons aneill)	PA Superior Court	x	D		x			Commonwealth v. Simmons, 2018 WL 3827278 (Pa. Super. Ct. 2018)
'ommonwealth v. Sistrunk Hassien)	PA Superior Court	х	P			x	x	Commonwealth v. Sistrunk, 2019 WL 4880959 (Pa. Super. Ct. 2019)
ommonwealth v. Smith (Gregory)	PA Superior Court	x	В		×		x	Commonwealth v. Smith, 2017 WL 5483253 (Pa. Super. Ct. 2017)
Commonwealth v. Smith (James)	PA Supreme Court	x	P	x	x		x	Commonwealth v. Smith, 17 A.3d 873 (Pa. 2011)
	PA Supreme Court	x	P				x	Commonwealth v. Speight, 986 A.2d 759 (Pa 2009)
	PA Supreme Court	x	D		x			Commonwealth v. Spence, 627 A.2d 1176 (Pa. 1993)
ommorrvealth v. Stidham	Common Pleas	x	P				x	Commonwealth v. Stidham, 2003 WL 25711095 (Pa. C. P. 2003)
	PA Superior Court	×	P				x	Commonwealth v. Taylor, 2018 WL 5629910 (Pa Super. Ct. 2018)
Commonvealth v. Thoman	PA Superior Court	x	D		x			Commonwealth v. Thoman, 2019 WL 336172 (Pa. Super. Ct. 2019)
Commonwealth v. Thompson Buckley)	PA Superior Court	x	D	х	×			Commonwealth v. Thompson, 2016 WL 5865006 (Pa. Super. Ct. 2016)
Commonwealth v. Thompson Marquis)	PA Superior Court	х	D		×			Commonwealth v. Thompson, 106 A.3d 742 (Pa. Super. Ct. 2014)
Commonwealth v. Uderra	PA Supreme Court	x	P	x	х			Commonwealth v. Uderra, 862 A.2d 74 (Pa. 2004)
Commonwealth v. Warner (Antonio)	PA Superior Court	х	P				x	Commonwealth v. Warner, 2017 WL 117697 (Pa. Super, Ct. 2017)
Commonwealth v. Watkins (Carroll)	Common Pleas	х	D		х			Commonwealth v. Watkins, 2007 WL 5581011 (Pa. C. P. 2007)
Commonwealth v. Watkins Gerald)	PA Supreme Court	x	P	×	x			Commonwealth v. Watkins, 108 A.3d 692 (Pa. 2014)
Commonwealth v. Wharton	PA Supreme Court	×	D		х		x	Commonwealth v. Wharton, 811 A.2d 978 (Pa 2002)
ommonwealth v. Williams (Roy)	PA Supreme Court	x	P	x	x			Commonwealth v. Williams, 732 A.2d 1167 (Pa. 1999)
Commonwealth v. Williams (Russell)	PA Superior Court	x	D		x			Commonwealth v. Williams, 528 A.2d 980 (Pa. Super. Ct. 1987)
Commonvealth v. Wood	PA Superior Court	x	D		x			Commonwealth v. Wood, 2015 WL 7587269 (Pa. Super. Ct. 2015)
Commonwealth v. Wright	Common Pleas	x	D		x			Commonwealth v. Wright, 2007 WL 5581007 (Pa. C. P. 2007)
Jackson v. Pinnacle Health System	Common Pleas	x	D	x	x			Jackson v. Pinnacle Health System, 2005 WL 6721686 (Pa. C. P. 20050

Incorrect Applications

Case Name	Trial / Superior / Supreme Court	Notes	Unsuccessfu Batson Claim	Direct Appeal (D"), PCRA ("P"), or Both (B")?	Finding: meritless claim	Finding: Waived Finding: Inappropriate use of <i>Batson</i> claim	Finding: waived during PRCA	Citation
Commonwealth v. Acres	PA Superior Court		x	D	х	x		Commonwealth v. Acres, 2018 WL 4704508 (Pa. Super. Ct. 2018)
Commonwealth v. Alston (Benjamin)	Common Pleas		x	P	х	х		Commonwealth v. Alston, 2003 WL 25711039 (Pa. C. P. 2003)
Commonwealth v. Alston (Kevin)	PA Superior Court		х	D		x		Commonwealth v. Alston, 864 A.2d 539 (Pa. Super. Ct. 2004)
Commonwealth v. Garnett	PA Superior Court	The trial was held prior to Batson, claim fails	x	P		х		Commonwealth v. Garnett, 613 A.2d 569 (Pa. Super. Ct. 1992)
Commonwealth v. Green (Derek)	Common Pleas	The issue was already tried, barred from appealing the same issue	х	D		х		Commonwealth v. Green, 2002 WL 34400778 (Pa. C. P. 2002)
Commonwealth v. Haynes	Common Pleas	The issue was already tried, barred from	×	P		x	x	Commonwealth v. Haynes, 2006 WL 5429140 (Pa. C. P. 2006)
Commonwealth v. Johnson (David)	PA Superior Court	The trial was held prior to Batson, claim fails	х	P		х		Commonwealth v. Johnson, 945 A.2d 185 (Pa. Super. Ct. 2008)
Commonwealth v. Jones (Carslie)	PA Superior Court		x	D		x		Commonwealth v. Jones, 2015 WL 6666221 (Pa. Super. Ct. 2015)
Commonwealth v. Jones (Damon)	PA Supreme Court	The issue was already tried, barred from appealing the same issue	×	P		х	x	Commonwealth v. Jones, 912 A.2d 268 (Pa. 2006)
Commonwealth v. Keys	PA Superior Court	The appellant brought a different claim under a Batson claim	a x	P		х		Commonwealth v. Keys, 2014 WL 10889705 (Pa. Super. Ct. 2014)
Commonwealth v. McCrae	PA Superior Court	Court declines to discuss the issue due to inappropriate forum	x	D		×		Commonwealth v. McCrae, 2016 WL 5266557 (Pa. Super. Ct. 2016)
Commonwealth v. Shannon	Common Pleas	A Batson claim does not cover age discrimination	х	D	×	×		Commonwealth v. Shannon, 2012 WL 7688025 (Pa. C. P. 2012)
Commonwealth v. Sistrunk (Hassien)	PA Superior Court		x	P		×	×	Commonwealth v. Sistrunk, 2019 WL 4880959 (Pa. Super. Ct. 2019)
Commonwealth v. Terry	PA Supreme Court	Inappropriate use of the <i>Batson</i> rule as Defendant is attacking array of <i>venire</i> not the peremptory challenges used	х	D		х		Commonwealth v. Terry 521 A.2d 398 (Pa 1987)
Commonwealth v. Thomas (Duane)	PA Superior Court		×	P		x		Commonwealth v. Thomas, 2020 WL 33250 (Pa. Super. Ct. 2020)

Withdrawn Claims

Case Name	Trial / Superior / Supreme Court	Withdrawn <i>Batson</i> claim	Court Declined to Discuss the Issue	Citation
Commonwealth v. Baker (Lee)	PA Supreme Court	Х	х	Commonwealth v. Baker, 728 A.2d 952 (Pa. 1999)
Commonwealth v. Brokenborough	PA Superior Court	х	х	Commonwealth v. Brokenborough, 2015 WL 6958342 (Pa. Super. Ct. 2015)
Commonwealth v. Miller (Hayward)	PA Superior Court	x	х	Commonwealth v. Miller, 2013 WL 11262999 (Pa. Super. Ct. 2013)
Commonwealth v. Ortiz	PA Superior Court	x	x	Commonwealth v. Ortiz, 241 A.3d 368 (Pa. Super. Ct. 2020)
Commonwealth v. Thomas (Leroy)	PA Supreme Court	х	х	Commonwealth v. Thomas, 44 A.3d 12 (Pa. 2012)
Commonwealth v. Warner (Antonio)	PA Superior Court	x	х	Commonwealth v. Warner, 2013 WL 11253756 (Pa. Super. Ct. 2013)

Claims with Unknown Results

Case Name	Trial / Superior / Supreme Court	Notes	Unknown result Remanded for to Batson claim new trial	or Court Declined to Discuss the Issue	Citation
Commonwealth v. Brinson	PA Superior Court	Unknown answer: Court references there was a <i>Batson</i> claim in the procedural history, but there is nothing published on the outcome	х		Commonwealth v. Brinson, 240 A.3d 156 (Table) (Pa. Super. Ct. 2020)
Commonwealth v. Figueroa	PA Superior Court		x	х	Commonwealth v. Figueroa, 29 A.3d 1177 (Pa. Super. Ct. 2011)
	PA Superior Court	Unknown answer: Court declines to review the Batson issue due to another issue requiring a remand for a new trial	х	x	Commonwealth v. Gesualso , 2020 WL 865113 (Pa. Super. Ct. 2016)
Commonw <mark>ealth v. Gibson</mark> (Kareem)	PA Superior Court	Unknown claim: Batson mentioned in procedural history, but doesn't dicuss the prior court's holding	х		Commonwealth v. Gibson, 2015 WL 6957021 (Pa. Super. Ct. 2015)
Commonwealth v. Grant	PA Superior Court	Unknown claim: a footnote discusses a <i>Batson</i> claim, but there is no history of the PCRA opinion	х		Commonwealth v. Grant, 2018 WL 2931907 (Pa. Super. Ct. 2018)
Commonwealth v. Hornezes	Common Pleas	Unknown claim: Batson mentioned in procedural history, but final decision unknown	х		Commonwealth v. Hornezes, 2002 WL 34401663 (Pa. C. P. 2002)
Commonwealth v. Matthews (Rod)	PA Superior Court	Unknown answer: Court declines to review the Batson issue due to another issue requiring a remand Note: was a successful claim at the lower court	x	х	Commonwealth v. Matthews, 2015 WL 7260349 (Pa. Super. Ct. 2015)
Commonwealth v. Wilson (Derrick)	PA Superior Court	Unknown answer: Court declines to review the <i>Batson</i> issue due to another issue requiring a remand	x x	х	Commonwealth v. Wilson, 619 A.2d 1063 (Pa. Super. Ct. 1992)

PROOF OF SERVICE

I, Professor Jules Epstein, hereby certify that I am this day serving the foregoing *Amici Curiae* Brief upon all counsel of record via PACFile eService, which service satisfies the requirements of Pa.R.A.P. 12

Professor Jules Epstein

Date: April <u>7</u>, 2020