

IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA, : No. 317 MAL 2019

Respondent : Application for Reconsideration

v. :

SEAN M. DONAHUE, :


Petitioner :

ORDER

PER CURIAM

AND NOW, this 14<sup>th</sup> day of February, 2020, the Application for Reconsideration is denied.

A True Copy Elizabeth E. Zisk  
As Of 02/14/2020

Attest:   
Chief Clerk  
Supreme Court of Pennsylvania

IN THE SUPREME COURT OF PENNSYLVANIA  
MIDDLE DISTRICT

COMMONWEALTH OF PENNSYLVANIA,

Respondent

v.

SEAN M. DONAHUE,

Petitioner

No. 317 MAL 2019

Petition for Allowance of Appeal  
from the Order of the Superior Court

ORDER

PER CURIAM

AND NOW, this 11th day of December, 2019, the Petition for Allowance of Appeal  
is DENIED.

A True Copy Amy Dreibelbis, Esquire  
As Of 12/11/2019

Attest: Amy Dreibelbis  
Deputy Prothonotary  
Supreme Court of Pennsylvania

**IN THE SUPERIOR COURT OF PENNSYLVANIA  
MIDDLE DISTRICT**

COMMONWEALTH OF PENNSYLVANIA : No. 17 MDM 2019

v.

SEAN M. DONAHUE

Petitioner

**ORDER**

Upon consideration of Petitioner's petition for writ of *coram nobis* and application for leave to proceed *in forma pauperis*, the following is hereby **ORDERED**:

It appears that Petitioner is attempting to raise challenges pertaining to his conviction at CP-22-CR-0003716-2015, for which he was sentenced on April 19, 2016. The judgment of sentence was affirmed on June 5, 2017, *see Commonwealth v. Donahue*, No. 1469 MDA 2016 (Pa. Super. filed June 5, 2017), and Petitioner's PCRA petition is currently pending in the trial court.

As Petitioner has no appeal pertaining to his April 19, 2016 judgment of sentence pending in this Court, his *pro se* petition for writ of *coram nobis* is hereby **DENIED**. *See Municipal Publications, Inc. v. Court of Common Pleas of Philadelphia County*, 489 A.2d 1286 (Pa. 1985) (where no appeal is pending before Superior Court, and that Court's appellate jurisdiction is not being infringed upon by actions of trial court, there is no predicate for Superior Court's exercise of jurisdiction). *See also Commonwealth v. Descartes*, 136 A.3d 493, 501 (Pa. 2016) (citing *Commonwealth v. Turner*, 80 A.3d 754, 770 (Pa. 2013) ("The PCRA at Section 9542 subsumes the remedies of *habeas corpus* and *coram nobis*.")).

Petitioner's application for leave to proceed *in forma pauperis* is **DENIED** as moot.

**PER CURIAM**

Appendix A

Appendix Bates Stamp 3



Superior Court of Pennsylvania

Middle District

Joseph D. Seletyn, Esq.  
Prothonotary  
Jennifer Traxler, Esq.  
Deputy Prothonotary

May 30, 2019

Pennsylvania Judicial Center  
P.O. Box 62435  
601 Commonwealth Avenue, Suite 1600  
Harrisburg, PA 17106-2435  
(717) 772-1294  
[www.pacourts.us/courts/superior-court](http://www.pacourts.us/courts/superior-court)

Sean M. Donahue  
625 Cleveland Street  
Hazleton, PA 18201

RE: Com. v. Donahue, S.  
No. 17 MDM 2019  
Trial Court Docket No: CP-22-CR-0003716-2015

Dear Sean M. Donahue:

Enclosed please find a copy of an order dated May 30, 2019 entered in the above-captioned matter.

Respectfully,

Jennifer Traxler, Esq.  
Deputy Prothonotary

/vsl

Enclosure

cc: Katie Lynee Adam  
The Honorable Deborah E. Curcillo, Judge  
Shannon Marie Kerwin

Appendix A

Appendix Bates Stamp 4

**Additional material  
from this filing is  
available in the  
Clerk's Office.**