

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 14th 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, : No. 317 MAL 2019
: Respondent : Petition for Allowance of Appeal
: : from the Order of the Superior Court
v. :
: SEAN M. DONAHUE, :
: Petitioner :
:

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

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

Middle District

May 30, 2019

Pennsylvania Judicial Center
P O Box 62445
601 Commonwealth Avenue, Suite 1600
Harrisburg, PA 17106-2435
(717) 772-1294
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,

A handwritten signature in black ink that appears to read "Jennifer Traxler".

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.**