

IN THE COMMONWEALTH COURT OF PENNSYLVANIA

Bianca Chism,	:	
Appellant	:	
	:	
v.	:	
	:	
	:	
Paloma Woodman and Adrian	:	No. 476 C.D. 2025
Woodman	:	Submitted: July 24, 2026

BEFORE: HONORABLE ANNE E. COVEY, Judge
HONORABLE LORI A. DUMAS, Judge
HONORABLE STACY WALLACE, Judge

OPINION NOT REPORTED

MEMORANDUM OPINION BY
JUDGE COVEY

FILED: October 23, 2026

Bianca Chism (Appellant) appeals, pro se, from the Dauphin County Common Pleas Court's (trial court) order dated March 18, 2025 (entered March 19, 2025) (March 19, 2025 order) sustaining Paloma Woodman's and Adrian Woodman's (collectively, Appellees) preliminary objections (Preliminary Objections) to Appellant's Complaint (Complaint) and granting Appellant 30 days to file an amended complaint. There are three issues before this Court: (1) whether the trial court's order was a final, appealable order; (2) whether Appellant waived all appellate issues by failing to file a Concise Statement of Errors Complained of on Appeal pursuant to Pennsylvania Rule of Appellate Procedure (Appellate Rule) 1925(b) (Appellate Rule 1925(b) Statement); and (3) whether this Court should grant Appellees' Motion to Dismiss Appellant's appeal for failure to file a brief (Motion to Dismiss). After review, this Court quashes Appellant's appeal and dismisses the Motion to Dismiss and Appellant's Motion to Reinstate Appeal and File Concise Statement of Errors Nunc Pro Tunc (Motion to Reinstate and File) as moot.

On November 15, 2024, Appellant filed in the trial court a notice of appeal from a Magisterial District Judge’s judgment and a praecipe to issue a rule to file a complaint. On December 13, 2024, Appellant filed the Complaint in the trial court. On December 24, 2024, Appellees filed their Preliminary Objections. By March 19, 2025 order, the trial court sustained the Preliminary Objections, stating: “[Appellant’s] Complaint fails to comply with the relevant [Pennsylvania R]ules of Civil Procedure [(Civil Rules)]. It is further ORDERED that [Appellant] is granted 30 days from the date of this [o]rder to file an [a]mended [c]omplaint that fully complies with all relevant [Civil Rules]” Trial Ct. March 19, 2025 Order at 1. On April 9, 2025, Appellant appealed to this Court.

On April 10, 2025, the trial court directed Appellant to file an Appellate Rule 1925(b) Statement.¹ On May 7, 2025, the trial court filed its opinion pursuant to Appellate Rule 1925(a) declaring that Appellant failed to file an Appellate Rule 1925(b) Statement and therefore all appellate issues are waived, and, alternatively, because the trial court granted Appellant 30 days to file an amended complaint, the trial court’s March 19, 2025 order is not a final, appealable order.²

¹ The trial court’s order stated: “Any issue not properly included in the [Appellate Rule 1925(b)] Statement timely filed and served pursuant to [Appellate Rule] 1925(b) shall be deemed waived.” Trial Ct. April 10, 2026 Order at 2.

² On July 29, 2025, Appellant filed in this Court an Amended Complaint. Pursuant to Section 5103 of the Judicial Code, a matter erroneously filed in one court should be transferred to the correct court. *See* 42 Pa.C.S. § 5103. However, since the trial court granted Appellant 30 days to file an amended complaint, and Appellant filed her Amended Complaint in this Court over 3 months after the 30 days expired, thereby making it untimely, such a transfer would be futile. *See Richardson v. Pa. Dep’t of Corr.*, 991 A.2d 394, 397 (Pa. Cmwlth. 2010) (“While [this Court’s] usual remedy would be to transfer to an appropriate court, [this Court] can refuse to transfer, in the interest of judicial economy, if [this Court] determine[s] that there are no circumstances under which relief could be granted.”); *see also McClain v. Harry* (Pa. Cmwlth. No. 44 M.D. 2023, filed July 24, 2026), slip op. at 16 n.19 (“[T]ransfer to the [Pennsylvania] Superior Court would be a futile endeavor from a timeliness standpoint that would disserve the interest of judicial economy.”). Pursuant to Section 414(a) of this Court’s Internal Operating Procedures, 210 Pa. Code § 69.414(a), an unreported panel decision of this Court issued after January 15, 2008, may

By August 28, 2025 Order, this Court directed:

[T]he parties shall address in their principal briefs on the merits or other appropriate motion whether Appellant preserved any issues for appellate review considering her failure to file a timely [Appellate Rule] 1925(b) Statement as directed by the trial court, *see Commonwealth v. Castillo*, 888 A.2d 775 (Pa. 2005), and *Commonwealth v. Schofield*, 888 A.2d 771 (Pa. 2005), and because it is not readily apparent whether the appeal to this Court is proper at this juncture, the parties are directed to address the appealability of the trial court’s March 19, 2025 order.

August 28, 2025 Order at 2. On September 16, 2025, Appellant filed in this Court the Motion to Reinstate and File. By October 7, 2025 Order, this Court instructed: “[T]he Motion [to Reinstate and File] shall be listed with the merits of the appeal. The parties shall address whether Appellant is entitled to the requested nunc pro tunc relief in their principal briefs on the merits.” October 7, 2025 Order at 1. On November 2, 2025, Appellees filed the Motion to Dismiss. By January 12, 2026 Order, this Court directed the Prothonotary to list the Motion to Dismiss with the merits of the appeal.

Preliminarily, this Court must address whether the trial court’s March 19, 2025 order is an appealable order. Appellate Rule 341(a) provides, in relevant part: “[A]n appeal may be taken as of right from any final order of a . . . trial court.” Pa.R.A.P. 341(a). Appellate Rule 341(b)(1) declares that a *final order* is any order that “disposes of all claims and of all parties[.]” Pa.R.A.P. 341(b)(1). This Court has explained: “[A]n order that sustains preliminary objections, but with leave to file an amended complaint, is generally considered to be interlocutory and not a final,

be cited for its persuasive value, but not as binding precedent. The unreported opinions cited herein are cited for their persuasive value.

appealable decree.” *May v. Doe*, 269 A.3d 1286, 1288 (Pa. Cmwlth. 2022) (quoting *Hionis v. Concord Twp.*, 973 A.2d 1030, 1034 (Pa. Cmwlth. 2009)); *see also G&B Amusements LLC v. City of Phila.* (Pa. Cmwlth. No. 1178 C.D. 2024, filed Nov. 5, 2025) (quashing appeal where the trial court’s order dismissed the appellants’ second amended complaint without prejudice and granted leave to amend).

Here, because the trial court granted Appellant 30 days to amend her Complaint, the trial court’s order was not a final order. *See May*. Accordingly, this Court lacks jurisdiction to consider the merits of Appellant’s underlying claims.³

For all of the above reasons, Appellant’s appeal is quashed.

ANNE E. COVEY, Judge

³ Because this Court lacks jurisdiction to consider Appellant’s appeal, Appellees’ Motion to Dismiss and Appellant’s Motion to Reinstate and File are dismissed as moot.

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O R D E R

AND NOW, this 23rd day of October, 2026, Bianca Chism's (Appellant) appeal from the Dauphin County Common Pleas Court's order dated March 18, 2025 (entered March 19, 2025) is QUASHED. Paloma Woodman's and Adrian Woodman's Motion to Dismiss Appellant's appeal for failure to file a brief is DISMISSED as moot. Appellant's Motion to Reinstate Appeal and File Concise Statement of Errors Nunc Pro Tunc is DISMISSED as moot.

ANNE E. COVEY, Judge