

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
ISAIAH JONES	:	
	:	
Appellant	:	No. 3191 EDA 2024

Appeal from the Judgment of Sentence Entered November 15, 2024
In the Court of Common Pleas of Philadelphia County Criminal Division at
No(s): CP-51-CR-0001753-2023

BEFORE: LAZARUS, P.J., SULLIVAN, J., and STEVENS, P.J.E.*

MEMORANDUM BY SULLIVAN, J.:

FILED AUGUST 26, 2026

Isaiah Jones (“Jones”) appeals from the judgment of sentence following his convictions for two counts of first-degree murder, as well as single counts of conspiracy to commit murder and possessing an instrument of crime (“PIC”).¹ Because Jones’s sufficiency claim is without merit and he waived his claims concerning the trial court’s jury instructions, we affirm.

In early June 2021, Jones’s younger brother was shot and killed. **See** N.T., 11/8/24, at 94. Approximately one week later, Tariq Chambers (“Chambers”), who was Jones’s cousin, drove Jones and Rayfiq Tiggie (“Tiggie”), in a white car, to 55th and Arch Streets in Philadelphia. Nasire Brooks (“Brooks”) and Steven Griffin (“Griffin”, collectively, “the victims”)

* Former Justice specially assigned to the Superior Court.

¹ **See** 18 Pa.C.S.A. §§ 2502(a), 903(a), 907(a).

were walking down the street when Tiggie and Jones got out of the car and fired sixteen shots at them, striking them ten times and killing them. **See** N.T. 11/6/24, at 142, 147. Tiggie and Jones reentered the car, and Chambers drove them from the scene. **See** N.T., 11/7/24, at 107–17. The police located the car, registered to Chambers’s girlfriend, less than a mile away. **See** N.T. 11/6/24, at 59-60, 65-66; N.T., 11/8/24, at 83. Later investigation disclosed the presence of masks and Tiggie’s fingerprints inside the car. **See** Trial Court Opinion, 6/30/25, unnumbered at 2.

Surveillance camera footage from eight minutes after the shooting revealed four men² running up the street away from the car in which Chambers and his co-conspirators fled. **See** N.T., 11/7/24, at 107–17. Three of the men then entered an alley that led to Chambers’s back door. **See id.** at 113-14. The fourth man continued on the street. It was later determined he was neither a shooter nor the driver of the car. **See** Trial Court Opinion, 6/30/25, at 2.

At trial, Detective Mikal Carr (“Detective Carr”) identified Chambers and Tiggie from the video footage after having worked in the area for seven years and observed Chambers with Tiggie “50 to 100 times.” N.T. 11/6/24, 167–73. Detective Robert Lamanna (“Detective Lamanna”) also testified that

² Police later determined the car had a fourth occupant, Hamza Ruley (“Ruley”). **See** N.T., 11/8/24, at 88.

Chambers and Tiggie appeared in the surveillance footage. **See** N.T., 11/6/24, at 149-50.

The same day as the shooting, Dwayne Campbell ("Campbell") identified Jones as one of the individuals involved in the shooting. **See** Trial Court Opinion, 6/30/25, unnumbered at 2-3. He told police the homicide was motivated by the recent killing of Jones's younger brother, and Jones had told Campbell that Jones and his brother had got "him." **See id.** at 3. Campbell also reported Jones showed him a firearm and stated it had "two bodies on it." N.T. 11/7/24, at 42.

In November 2024, in a joint trial, Chambers, Jones, and Tiggie were found guilty by a jury on two counts of first-degree murder and conspiracy to commit murder. Jones and Tiggie were also found guilty of possession of an instrument of crime. The court sentenced Jones to consecutive sentences of life imprisonment for both murder convictions and concurrent sentences for conspiracy and PIC. Jones timely appealed, and he and the trial court complied with Pa.R.A.P. 1925.

Jones raises the following issues for our review:

1. Whether the Commonwealth proved beyond a reasonable doubt (sufficiency of the evidence) that [Jones] was guilty of two counts of first[-]degree murder, conspiracy, and PIC when there was no direct evidence identifying [Jones] nor any direct evidence linking [Jones] to the car which the shooters got out of nor any direct evidence linking [Jones] to being with the co-defendants prior to murder, at the time of the murder or right after the murder?

2. Whether the court erred when it denied defense counsel's request for jury instruction 3.21B[,]failure to produce documentation or tangible evidence[,] since the Commonwealth had requested DNA testing of some of the evidence and had not produced it at the time of trial and it was brought out on cross[-]examination?
3. Whether the court erred when it denied defense counsel's request for jury instruction 4.09[,] conflicting testimony[,] which would have applied to Commonwealth's witness, Dwayne Campbell, who gave conflicting testimony throughout his testimony?

Jones's Brief at 4 (unnecessary capitalization and record citations omitted).

Jones first argues there was insufficient evidence to prove beyond a reasonable doubt he committed the crimes of first-degree murder, conspiracy to commit first-degree murder, and PIC. He does not contest a specific element of those crimes; rather, he argues the Commonwealth failed to present sufficient evidence identifying him as one of the perpetrators.

Our standard of review for sufficiency claims is as follows:

As a general matter, our standard of review of sufficiency claims requires that we evaluate the record in the light most favorable to the verdict winner giving the prosecution the benefit of all reasonable inferences to be drawn from the evidence. Evidence will be deemed sufficient to support the verdict when it establishes each material element of the crime charged and the commission thereof by the accused, beyond a reasonable doubt. Nevertheless, the Commonwealth need not establish guilt to a mathematical certainty. Any doubt about the defendant's guilt is to be resolved by the fact finder unless the evidence is so weak and inconclusive that, as a matter of law, no probability of fact can be drawn from the combined circumstances.

The Commonwealth may sustain its burden by means of wholly circumstantial evidence. Accordingly, [t]he fact that the evidence establishing a defendant's participation in a crime is circumstantial does not preclude a conviction where the evidence coupled with

the reasonable inferences drawn therefrom overcomes the presumption of innocence. Significantly, we may not substitute our judgment for that of the fact finder; thus, so long as the evidence adduced, accepted in the light most favorable to the Commonwealth, demonstrates the respective elements of a defendant's crimes beyond a reasonable doubt, the appellant's convictions will be upheld.

Commonwealth v. Sebolka, 205 A.3d 329, 336-37 (Pa. Super. 2019)

(internal citation and indentation omitted).

First-degree murder is defined, in relevant part, as follows:

§ 2502. Murder

(a) **Murder of the first degree.**—A criminal homicide constitutes murder of the first degree when it is committed by an intentional killing.

18 Pa.C.S.A. § 2502(a).

The Pennsylvania Supreme Court has described the elements of first-degree murder as follows:

To convict a defendant of first[-]degree murder, the Commonwealth must prove: [(1)] a human being was unlawfully killed; [(2)] the defendant was responsible for the killing; and [(3)] the defendant acted with malice and a specific intent to kill.

Commonwealth v. Houser, 18 A.3d 1128, 1133 (Pa. 2011) (internal citations omitted). The intent to kill may be formulated in a fraction of a second. ***See Commonwealth v. Jordan***, 65 A.3d 318, 323 (Pa. 2013). The Commonwealth may prove the specific intent to kill with circumstantial evidence. ***See Commonwealth v. Fletcher***, 861 A.2d 898, 907 (Pa. 2004). The use of a deadly weapon on a vital part of a victim's body is sufficient to

establish the specific intent to kill. ***See Commonwealth v. Diggs***, 949 A.3d 873, 878 (Pa. 2009).

A person may be found guilty of conspiracy if “with the intent of promoting or facilitating its commission he: (1) agrees with such other person or persons that they or one or more of them will engage in conduct which constitutes such crime or an attempt or solicitation to commit such crime; or (2) agrees to aid such other person or persons in the planning or commission of such crime or of an attempt or solicitation to commit such crime.” 18 Pa.C.S.A. § 903(a).

To prove the existence of a criminal conspiracy, the Commonwealth must demonstrate the defendant: “(1) entered an agreement to commit or aid in an unlawful act with another person or persons, (2) with a shared criminal intent and, (3) an overt act was done in furtherance of the conspiracy.” ***Commonwealth v. Chambers***, 188 A.3d 400, 410 (Pa. 2018) (citations omitted). “Once the conspiracy is established beyond a reasonable doubt, a conspirator can be convicted of both the conspiracy and the substantive offense that served as the illicit objective of the conspiracy.” ***Id.*** at 410 (citations omitted). Moreover, the essence of criminal conspiracy is the agreement between co-conspirators, which can be proved directly or, more often, circumstantially, but is not established by mere association or presence at the crime scene. We have explained:

[M]ere association with the perpetrators, mere presence at the scene, or mere knowledge of the crime is insufficient to establish that a defendant was part of a conspiratorial agreement to commit

the crime. There needs to be some additional proof that the defendant intended to commit the crime along with his co-conspirator. Direct evidence of the defendant's criminal intent or the conspiratorial agreement, however, is rarely available. Consequently, the defendant's intent as well as the agreement is almost always proven through circumstantial evidence, such as by the relations, conduct or circumstances of the parties or overt acts on the part of the co-conspirators. Once the trier of fact finds that there was an agreement and the defendant intentionally entered into the agreement, that defendant may be liable for the overt acts committed in furtherance of the conspiracy regardless of which co-conspirator committed the act.

Commonwealth v. Golphin, 161 A.3d 1009, 1019 (Pa. Super. 2017) (internal citations omitted).

Regarding conspiracy to commit first-degree murder, a conspirator must possess the specific intent to kill. ***See Commonwealth v. Reed***, 347 A.3d 795, 801 (Pa. Super. 2025). "Whether a person had the same intent to kill as their co-conspirator may be inferred from words, conduct, the attendant circumstances including the actions taken after the killing and all reasonable inferences that follow from them." ***Id.*** (internal citation and quotation marks omitted).

Further, in any prosecution, the Commonwealth must establish the identity of the defendant as the perpetrator of the offenses beyond a reasonable doubt. ***See Commonwealth v. Smyser***, 195 A.3d 912, 915 (Pa. Super. 2018). Generally, any indefiniteness or uncertainty in the identification evidence goes to the weight of the evidence, not sufficiency. ***See Commonwealth v. Orr***, 38 A.3d 868, 874 (Pa. Super. 2011) (*en banc*). As with any element of an offense, the Commonwealth may sustain its burden of

proving the defendant's identity as the perpetrator of the offenses by circumstantial evidence. **See Smyser**, 195 A.3d at 915.

Jones asserts the Commonwealth failed to prove that he committed the murders because only Campbell's allegedly unreliable testimony connected him to the murders. **See** Jones's Brief at 17. Further, he asserts the video footage clearly identified Chambers and Tiggie, not he, and there was no evidence that he was with Chambers and Tiggie on the day of the murders or planned the murders with them, and no physical evidence placed him at the scene. **See id.** at 15-16.

The trial court disagreed and explained that the testimony established Jones, Chambers, and Tiggie waited for the victims, then Jones and Tiggie got out of the car and shot at them at least sixteen times. **See** Trial Court Opinion, 6/30/25, unnumbered at 6. The trial court explained the evidence established Jones "committed the crimes of which he was convicted." **Id.** at 7.

Following our review, we conclude Jones's claim is without merit. Jones concedes that Campbell's testimony, if believed, established he committed the murders and boasted about it. His challenge is to the credibility of that evidence. Sufficiency review does not include an assessment of the credibility of trial testimony. **See Commonwealth v. Wilson**, 825 A.2d 710, 713-14 (Pa. Super. 2003) (explaining a challenge to a witness's credibility raises a

weight, not a sufficiency, challenge).³ The jury, as the finder of fact, was free to believe all, part, or none of Campbell's testimony, and we will not substitute our judgment for the jury's. **See Commonwealth v. Burton**, 234 A.3d 824, 829 (Pa. Super. 2020). Campbell's testimony was direct evidence establishing Jones's commission of the crimes (as well as his motive for doing so). For that reason alone, Jones's claim fails. **See Commonwealth v. Gomez**, 224 A.3d 1095, 1099 (Pa. Super. 2019) (holding evidence is sufficient when it establishes each element of the charged crimes beyond a reasonable doubt); 18 Pa.C.S.A. §§ 2502(a), 903.

Moreover, the Commonwealth presented compelling circumstantial evidence of Jones's guilt, including his repeated calls to Chambers half an hour before the murders, video footage showing Tiggles and Chambers running away from the abandoned car eight minutes after the shooting, and evidence Jones admitted to the killings and showed a witness a gun used to commit them and bragged that it "had two bodies" on it. **See Reed**, 347 A.3d 795, 801. Viewing the record in a light most favorable to the Commonwealth, as our standard of review requires, we conclude there was sufficient evidence

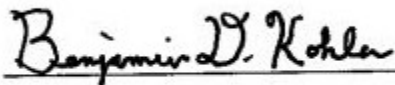
³ Moreover, even when credibility is challenged in a weight claim, this Court cannot and will not "reassess the credibility of the eyewitnesses and reweigh the testimony and evidence presented at trial." **Commonwealth v. Miller**, 172 A.3d 632, 643 (Pa. Super. 2017). Further, a weight challenge "concedes that sufficient evidence exists to sustain the verdict but questions which evidence is to be believed." **Commonwealth v. Thompson**, 106 A.3d 742, 758 (Pa. Super. 2014).

identifying Jones as one of the perpetrators of the murders. Thus, Jones's claim is meritless.

In his second and third issues, Jones asserts the trial court erred by denying his request for jury instructions. Before considering the merits of Jones's issues, we must first determine whether he preserved them below. Issues cannot be raised for the first time on appeal and must be raised in the trial court, or they are waived for appellate review. **See** Pa.R.A.P. 302(a). To preserve an issue regarding jury instructions for appeal, the Pennsylvania Rules of Criminal Procedure "require a specific objection to the charge or an exception to the trial court's ruling on a proposed point." ***Commonwealth v. Pressley***, 887 A.2d 220, 224 (Pa. 2005) (footnote omitted); **see also** Pa.R.Crim.P. 647(B); Pa.R.A.P. 302(b). The trial court found these two issues waived. **See** Trial Court Opinion, 6/30/25, at 3-5. Jones concedes he did not properly preserve these issues by raising his requests for instruction at trial. **See** Jones's Brief at 18. Accordingly, Jones's final two claims are unreviewable.

Judgment of sentence affirmed.

Judgment Entered.

A handwritten signature in black ink, reading "Benjamin D. Kohler", is written over a horizontal line.

Benjamin D. Kohler, Esq.
Prothonotary

Date: 8/26/2026