

**NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37**

|                              |   |                          |
|------------------------------|---|--------------------------|
| COMMONWEALTH OF PENNSYLVANIA | : | IN THE SUPERIOR COURT OF |
|                              | : | PENNSYLVANIA             |
|                              | : |                          |
| v.                           | : |                          |
|                              | : |                          |
|                              | : |                          |
| RASHEEN TRUSTY               | : |                          |
|                              | : |                          |
| Appellant                    | : | No. 2764 EDA 2025        |

Appeal from the Judgment of Sentence Entered July 31, 2025  
In the Court of Common Pleas of Philadelphia County Criminal Division at  
No(s): CP-51-CR-0007108-2023

BEFORE: LAZARUS, P.J., MURRAY, J., and FORD ELLIOTT, P.J.E.\*

JUDGMENT ORDER BY LAZARUS, P.J.: **FILED AUGUST 25, 2026**

Rasheen Trusty appeals from the judgment of sentence, entered in the Court of Common Pleas of Philadelphia County, following his convictions of third-degree murder and conspiracy to commit murder. **See** 18 Pa.C.S.A. §§ 2502(c) & 903. Trusty's counsel has filed an **Anders**<sup>1</sup> brief seeking to withdraw.

Due to our disposition, we need not recite a detailed factual history of this matter. In brief, Trusty was convicted of the above-mentioned offenses after he conspired with his co-defendant in the murder of Ikeem Johnson. On July, 31, 2025, the trial court sentenced Trusty to 20-40 years in prison.

---

\* Retired Senior Judge assigned to the Superior Court.

<sup>1</sup> **Anders v. California**, 386 U.S. 738 (1967); **See also Commonwealth v. Santiago**, 978 A.2d 349 (Pa. 2009).

Trusty filed a post-sentence motion, which was denied on October 28, 2025. Trusty filed a timely notice of appeal followed by a court-ordered Pa.R.A.P. 1925(b) concise statement of errors complained of on appeal.<sup>2</sup> Counsel has filed an **Anders** brief.

Prior to reviewing the merits of any claims raised in an **Anders** brief, this Court must first determine if counsel has complied with the dictates of **Anders** and **Santiago**. *See Commonwealth v. Bennett*, 124 A.3d 327, 330 (Pa. Super. 2015). Pursuant to **Anders**, when counsel believes that an appeal is frivolous and wishes to withdraw from representation, he must:

(1) petition the court for leave to withdraw stating that after making a conscientious examination of the record and interviewing the defendant, counsel has determined the appeal would be frivolous[;] (2) file a brief referring to any issues in the record of arguable merit[;] and (3) furnish a copy of the brief to defendant and advise him of his right to retain new counsel or to raise any additional points that he deems worthy of the court's attention. The determination of whether the appeal is wholly frivolous remains with the court.

**Commonwealth v. Burwell**, 42 A.3d 1077, 1083 (Pa. Super. 2012) (citation omitted).

Additionally, counsel must file a brief that meets the requirements established by the Pennsylvania Supreme Court in **Santiago**, namely:

(1) provide a summary of the procedural history and facts, with citations to the record; (2) refer to anything in the record that

---

<sup>2</sup> On November 2, 2025, Trusty filed a pro se amendment to his counseled Rule 1925(b) statement outlining additional issues he wished to raise on appeal. As Trusty was represented by counsel on appeal, this pro se filing was a legal nullity. **Commonwealth v. Ali**, 10 A.3d 282, 293 (Pa. 2010).

counsel believes arguably supports the appeal; (3) set forth counsel's conclusion that the appeal is frivolous; and (4) state counsel's reasons for concluding that the appeal is frivolous. Counsel should articulate the relevant facts of record, controlling case law, and/or statutes on point that have led to the conclusion that the appeal is frivolous.

**Santiago**, 978 A.2d at 361.

If counsel fails to comply with the requirements of **Anders** and **Santiago**, "this Court will deny the petition to withdraw and remand the case with appropriate instructions." **Commonwealth v. Woods**, 939 A.2d 896, 898 (Pa. Super. 2007).

Instantly, our review of the **Anders** brief and this Court's docket reveals that counsel has not complied with the technical requirements for withdrawal. **See Burwell, supra**. Specifically, counsel failed to file a separate motion for leave to withdraw. **See id.** Counsel also failed to submit to this Court a copy of a letter to Trusty advising him of his immediate right to retain new counsel, proceed pro se, or raise additional arguments that he deems worthy of this Court's attention.<sup>3</sup> **See id.** Finally, there is no indication in the record that Trusty was served with a copy of the **Anders** brief. **See id.** Accordingly, we conclude that counsel has failed to comply with the technical requirements of **Anders** and **Santiago**.

Accordingly, we direct that counsel shall, within ten days of the date of this judgment order, file with this Court a petition to withdraw as counsel.

---

<sup>3</sup> Counsel states in his **Anders** brief that he sent the required letter to Trusty on January 17, 2025. **See Anders** Brief, at 11. However, he failed to submit a copy to this Court.

Counsel shall attach to the petition a copy of a letter sent to Trusty, transmitting to him a copy of the **Anders** brief and petition to withdraw, and advising him of his immediate right to proceed pro se, retain private counsel, or raise any additional arguments he deems worthy of this Court's attention. Counsel shall also advise Trusty that he may respond to counsel's **Anders** brief within 30 days of receipt of counsel's letter. The Commonwealth's brief shall be due thirty days after submission of Trusty's response, if any, to the **Anders** brief and petition to withdraw.

Panel jurisdiction retained.