

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
	:	
SONYA M. MCKNIGHT	:	
	:	
Appellant	:	No. 1394 MDA 2025

Appeal from the Judgment of Sentence Entered June 2, 2025
 In the Court of Common Pleas of Dauphin County
 Criminal Division at No(s): CP-22-CR-0000938-2024

BEFORE: PANELLA, P.J.E., NICHOLS, J., and NEUMAN, J.

OPINION BY PANELLA, P.J.E.:

FILED: AUGUST 25, 2026

Sonya M. McKnight appeals from the judgment of sentence entered in the Dauphin County Court of Common Pleas on June 2, 2025. On appeal, McKnight challenges the trial court's jury instruction defining reasonable doubt. After careful review, we affirm.

As McKnight's appeal only raises a challenge to a jury instruction given by the trial court, a detailed recitation of the underlying facts of this matter is not necessary. Briefly, on April 30, 2024, McKnight was charged with attempted homicide and aggravated assault in relation to the shooting of Michael McCoy, with whom McKnight had been in a relationship, and was living with, at the time of the shooting. On April 9, 2025, following trial, the jury found McKnight guilty on both counts. The trial court subsequently sentenced McKnight on May 28, 2025, to an aggregate term of 13 ½ to 30 years'

incarceration. McKnight filed a timely post-sentence motion, which the trial court denied. This timely appeal followed.

McKnight raises the following single issue on appeal:

Whether the trial court committed reversible error by modifying the standard reasonable doubt instruction by substituting the phrase “a matter of high importance”?

Appellant’s Brief, at 3.¹

In Pennsylvania, the standard for reviewing a jury charge is well settled:

We review a challenge to a jury instruction for an abuse of discretion or an error of law. We must consider the charge as a whole, rather than isolated fragments. We examine the entire instruction against the background of all evidence presented, to determine whether error was committed. A jury charge is erroneous if the charge as a whole is inadequate, unclear, or has a tendency to mislead or confuse the jury rather than clarify a material issue. Therefore, a charge will be found adequate unless the issues are not made clear to the jury or the jury was palpably misled by what the trial judge said. Furthermore, our trial courts are invested with broad discretion in crafting jury instructions, and such instructions will be upheld so long as they clearly and accurately present the law to the jury for its consideration. The trial court is not required to give every charge that is requested by the parties and its refusal to give a requested charge does not require reversal unless the appellant was prejudiced by that refusal.

¹ While McKnight only raises one issue in her appellate brief, she raised several issues in her 1925(b) concise statement of errors complained of on appeal filed on November 13, 2025. The remainder of the issues have been abandoned in her brief, and are therefore waived. **See *In Interest of T.Q.B.***, 286 A.3d 270, 273 (Pa. Super. 2022) (holding issues raised in Rule 1925(b) concise statement that are not developed in appellate brief are abandoned); **see also *Commonwealth v. Tchirkow***, 160 A.3d 798, 804 (Pa. Super. 2017) (“It is well-established that [w]hen issues are not properly raised and developed in briefs, when the briefs are wholly inadequate to present specific issues for review, a court will not consider the merits thereof.”) (citation omitted).

Commonwealth v. Rush, 162 A.3d 530, 540 (Pa. Super. 2017) (citations, internal quotation marks, and brackets omitted).

Here, in its opening charge to the jury, the court instructed the jury, without objection, as follows:

A fundamental principle of the criminal justice system is that a defendant is presumed to be innocent. The mere fact that she has been arrested and is charged with a crime is not evidence of her guilt. Furthermore, a defendant is presumed to remain innocent throughout the trial unless and until you conclude, based on a careful and impartial consideration of the evidence, that the Commonwealth has proven her guilty beyond a reasonable doubt of any charge made against her.

It is not the defendant's burden to prove that she is not guilty. Instead, it is the Commonwealth that always has the burden of proving each and every element of the crimes charged, and that the defendant is guilty of those crimes beyond a reasonable doubt.

Although the Commonwealth has the burden of proving the defendant is guilty, it does not mean that the Commonwealth must prove its case beyond all doubt or to a mathematical certainty, nor must it demonstrate the complete impossibility of innocence. **A reasonable doubt is a doubt that would cause a reasonably careful and sensible person to refrain or seize from acting upon a matter of highest importance in his or her own affairs or to his or her own interest.** A reasonable doubt must arise fairly out of the evidence that was presented or out of the lack of evidence presented with respect to some element of each of the crimes charged. A reasonable doubt must be a real doubt. It may not be an imagined one, nor may it be a doubt manufactured to avoid carrying out an unpleasant duty.

N.T., Jury Trial, April 7-9, 2025, at 8-9 (emphasis added). Following the close of evidence and closing arguments, the trial court again gave a similar instruction to the jury, as follows:

A fundamental principle of our system of criminal law is that a defendant is presumed to be innocent. The mere fact that she is arrested and charged with a crime is not evidence of her guilt. Furthermore, a defendant is presumed to remain innocent throughout the trial unless and until you conclude, based upon a careful and impartial consideration of the evidence, that the Commonwealth has proved her guilty beyond a reasonable doubt of the charges against her.

It is not the defendant's burden to prove that she is not guilty. Instead, it is the Commonwealth that always has the burden of proving each and every element of the crimes charged and that the defendant is guilty of those beyond a reasonable doubt.

A person accused of a crime is not required to present evidence or to prove anything in her own defense. If the evidence fails to meet the Commonwealth's burden, then your verdict must be not guilty. On the other hand, if the evidence does prove beyond a reasonable doubt that the defendant is guilty of the crime, your verdict should be guilty.

The law never imposes upon a defendant in a criminal case the burden or duty of producing any evidence. A defendant cannot be compelled to take the stand or testify[.] [W]hether or not she testifies is a matter of her own choosing. It is entirely up to the defendant in every criminal trial whether or not to testify. She has an absolute right founded in the Constitution to remain silent, and you must not draw any inference of guilt or any other adverse inference to the defendant from the fact that she did not testify.

The Commonwealth has the burden of proving the defendant guilty. This does not mean the Commonwealth must prove its case beyond all doubt or to a mathematical certainty, nor must it demonstrate the complete impossibility of innocence. **A reasonable doubt is a doubt that would cause a reasonably careful and sensible person to refrain or seek from acting on a matter of highest importance in his or her own affairs or his or her own interest.**

A reasonable doubt must fairly arise out of the evidence that was presented or out of the lack of evidence presented with regard to one of the elements or any of the elements of each of the crimes charged.

A reasonable doubt must be a real doubt, not an imagined one. It cannot be a doubt manufactured to avoid carrying out an unpleasant task. To summarize, you may not find a defendant guilty based upon mere suspicion of guilt. The Commonwealth has the burden of proving the defendant guilty beyond a reasonable doubt. If the defendant (*sic*) has met that burden, then, the defendant is no longer presumed to be innocent and you should find her guilty. In other words, if the Commonwealth has not met its burden, then, you must find her not guilty.

Id. at 503-05 (emphasis added). Following the court's instructions to the jury, defense counsel objected to the court's reasonable doubt instruction. Defense counsel noted that the language in the proposed jury instruction for reasonable doubt was the standard jury instruction, which defines reasonable doubt as "a doubt that would cause a reasonably careful and sensible person to hesitate before acting upon a **matter of importance** in his or her own affairs." ***Id.*** at 518 (emphasis added). Defense counsel clarified that the objection was based on the court's use of the word "highest" that was added before "importance" in the court's instruction to the jury. ***See id.*** at 519. The objection was dismissed by the court. ***See id.***

Finding ***Commonwealth v. Drummond***, 285 A.3d 625 (Pa. 2022), controlling here, McKnight argues the trial court failed to provide a proper, objective instruction defining reasonable doubt, and claims the instruction

given created a reasonable likelihood that the jury applied a diminished standard of proof. **See** Appellant's Brief, at 12-14.²

First, we note the same instruction for reasonable doubt containing the phrase "highest importance" has been ruled legal and accurate by this Court on numerous occasions. **See, e.g., Commonwealth v. Martinez**, 276 A.3d 220, at *5 (Pa. Super. 2022) (unpublished memorandum);³ **Commonwealth v. Parker**, 260 A.3d 135, at *15 (Pa. Super. 2021) (unpublished memorandum) (finding trial court's definition of reasonable doubt is accurate in that it instructs the jury that the law (1) places no duty on an appellant to prove his own defense, (2) places all responsibility on the Commonwealth to prove an appellant's guilt beyond a reasonable doubt, and (3) presumes an appellant is innocent until proved otherwise); **Commonwealth v. King**, 245 A.3d 1061, at **4 (Pa. Super. 2020) (unpublished memorandum) (concluding

² While McKnight tailors her issue statement to a challenge to the court's use of the phrase "a matter of highest importance," her argument section is less than a model of clarity regarding which portion of the jury instruction she actually is attempting to challenge on appeal. Rather, the argument section jumps around, without much development, between taking issue with the court's use of the phrase "a matter of highest importance," to the court's use of "refrain" instead of "hesitate", to the court's erroneous statement that "If the **defendant** has met that burden, then the defendant is no longer presumed innocent ...". Appellant's brief, at 12-15 (emphasis in original). As McKnight's objection at trial was specifically tailored to the court's use of the phrase "a matter of highest importance," and the issue preserved in the 1925(b) concise statement also preserved a challenge to that phrase, we tailor our analysis to only that phrase as well.

³ Pursuant to Pa.R.A.P. 126(b), we may rely on unpublished memorandum issued after May 1, 2019, for their persuasive value.

the language is “substantially similar to Pennsylvania’s Suggested Standard Jury Instruction for reasonable doubt.”); ***Commonwealth v. Vando***, 242 A.3d 457, at *8 (Pa. Super. 2020) (unpublished memorandum) (concluding the charge accurately informed the jury).

Further, we do not find ***Drummond*** controlling to the case at hand. In ***Drummond***, our Supreme Court inquired as to whether trial counsel was ineffective for failing to object to a jury instruction in which the judge analogized juror’s application of the “proof beyond a reasonable doubt” standard to jurors’ hypothetical decision-making regarding surgery involving a “precious one.” ***See Drummond***, 285 A.3d at 628. At the conclusion of trial, the trial court there gave a reasonable doubt instruction that included the same definition used in the case at hand. ***See id.*** at 631 (“A reasonable doubt is a doubt that would cause a reasonably careful and sensible person to pause, to hesitate, to refrain from acting upon a matter of the highest important ...”).

However, pertinent to the actual decision in ***Drummond***, the court then continued the instruction by using a hypothetical situation to define reasonable doubt. ***See id.*** Specifically, the hypothetical involved consideration of whether to move forward with surgery recommended by a doctor for the “life-threatening condition” of a “precious one.” ***Id.*** In analyzing Drummond’s challenge to the jury instruction, our Supreme Court emphasized the following well-settled principles pertaining to jury instructions:

A trial court has broad discretion in formulating and delivering instructions to a jury. When reviewing the exercise of that

discretion, an appellate court must evaluate the trial court's instruction "as a whole to determine if it was fair or prejudicial." A trial court may use such language as it chooses, "so long as the law is clearly, adequately, and accurately presented to the jury for its consideration." "We will not rigidly inspect a jury charge, finding reversible error for every technical inaccuracy, but rather evaluate whether the charge sufficiently and accurately apprises a lay jury of the law it must consider in rendering its decision." "Error cannot be predicated on isolated excerpts of the charge, but it is the general effect of the charge that controls.

Id. at 634-35 (footnotes omitted).

Notably, the Supreme Court's analysis then pertained exclusively to the use of hypotheticals or other illustrative devices to define reasonable doubt. The court found "[s]uch devices, when used in an effort to assist jurors in deciding whether the Commonwealth has satisfied its evidentiary burden, can create a significant risk of juror confusion or, more importantly, can have the deleterious effect of diminishing the Commonwealth's constitutional burden of proof." ***Id.*** at 636. Therefore, the Supreme Court questioned whether there was a reasonable likelihood that the jurors applied a diminished standard of proof when the trial court instructed them with the hypothetical described above. ***See id.*** Providing an analysis of the trial court's surgery analogy, the Supreme Court concluded "that the instruction diminished the applicable standard of proof" and violated the appellant's due process rights. ***Id.*** at 644.

Pertinently, the Supreme Court acknowledged that the problematic aspect of the trial court's reasonable doubt instruction, *i.e.*, the surgery analogy, "was bookended by other, correctly-stated and objectively-based reasonable doubt instructions," which included the exact language McKnight

challenges here. ***Id.*** at 643. The court specifically “[did] not overlook [the] practice of assessing instructions in the context of the trial judge’s instructions as a whole, rather than in isolation.” ***Id.*** However, the court concluded that under the circumstances at hand, *i.e.*, where “the misstatement confuses and distorts the most fundamental principle in our criminal law and when it instructs jurors to perform their otherwise objective task by likening it to an impassioned, last-ditch plea to save a loved one,” then “comparing the valid portions of the instruction against the invalid ones [did] not suffice to neutralize the prejudicial effect of the error.” ***Id.***

The jury instruction challenged here did not include any hypotheticals or other illustrative devices. Accordingly, the analysis in ***Drummond*** is not dispositive. McKnight has not provided any other pertinent citations to support her challenge to the court’s use of the phrase “a matter of highest importance.” Accordingly, in line with the cases cited above, including ***Drummond***, we find the court’s instruction, taken as a whole, adequately presented the law regarding reasonable doubt to the jury.

As McKnight is due no relief on her sole issue raised, we affirm the judgment of sentence.

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: 8/25/2026