

NON-PRECEDENTIAL DECISION - SEE SUPERIOR COURT O.P. 65.37

COMMONWEALTH OF PENNSYLVANIA	:	IN THE SUPERIOR COURT OF
	:	PENNSYLVANIA
	:	
v.	:	
	:	
ANTON ADAMS	:	
	:	
Appellant	:	No. 718 EDA 2025

Appeal from the Judgment of Sentence Entered February 21, 2025
 In the Court of Common Pleas of Philadelphia County Criminal Division at
 No(s): CP-51-CR-0002059-2023

BEFORE: KUNSELMAN, J., McLAUGHLIN, J., and BENDER, P.J.E.

MEMORANDUM BY McLAUGHLIN, J.: **FILED MARCH 10, 2026**

Anton Adams appeals from the judgment of sentence entered following his convictions for robbery, theft by unlawful taking, receiving stolen property, terroristic threats, simple assault, and reckless endangerment.¹ He challenges the discretionary aspects of his sentence and the sufficiency and weight of the evidence. We affirm.

The trial court set forth the following factual findings following a bench trial:

[Ayana] Fuqua testified that she lived . . . in Philadelphia with her boyfriend, Safee [Rawls]; Safee’s mother, Ruby Rawls; and Ms. Rawl’s boyfriend, [Adams]. On February 25, 2023, at approximately 7:00 am, there was a domestic quarrel involving [Adams] and Ms. Rawls. Safee broke down the door to the bedroom . . . which [Adams] and Ms. Rawls shared. Upon gaining entry to the bedroom, Safee attacked

¹ 18 Pa.C.S.A. §§ 3701(a)(1)(ii), 3921, 3925, 2706(a)(1), 2701(a)(3), and 2705, respectively.

[Adams], striking him in the head with a baseball bat. [Adams] testified that he shot Safee in self-defense while Safee was attacking him with the baseball bat. Fuqua was present during the incident in her second-floor bedroom when she heard a single gunshot. Sometime after the gunshot, Fuqua testified that Safee ran downstairs. Fuqua also testified that she called 911 after she heard the gunshot. Before Fuqua could follow Safee downstairs, [Adams] approached her, pointed a gun at her demanding her cell phone, stating, “[G]ive me your phone or I’mma [sic] blast your ass too.” [Adams] then snatched Fuqua’s cell phone from her hands. At that point, Fuqua ran downstairs and outside the residence while she and Safee waited for the police. Fuqua’s cell phone was returned later that day.

Trial Ct. Op., filed May 27, 2025, at 1-2 (footnote omitted; some “Ms.” omitted).² We add that, as to the crimes against Fuqua, Adams testified as follows:

Q. So when you stated that you were in the room, did you ever -- after you were struck with the bat, did you ever approach [Fuqua]?

A. No

Q. Did you ever touch her phone?

A. No.

N.T., Nov. 1, 2024, at 179.

The trial court found Adams guilty of robbery, theft by unlawful taking, receiving stolen property, terroristic threats, simple assault, and reckless endangerment, where Fuqua was the victim. It found Adams not guilty of

² The court acquitted Adams of the counts related to Safee, and therefore focused its summary on the testimony related to offenses against Fuqua. Trial Ct. Op. at 2 n.3.

possession of an instrument of crime, aggravated assault, simple assault, and reckless endangerment, where Safee was the alleged victim.

The court sentenced Adams to three to six years' incarceration and three years' probation on the robbery conviction, with no further penalty on the other convictions. Adams filed a post-sentence motion challenging the sufficiency and weight of the evidence. The court denied the motion. Adams appealed.³

Adams raises the following issues:

1. Whether the sentence imposed on [Adams] was harsh and excessive and an abuse of discretion since the lower court failed to properly consider all of the sentencing factors of 42 Pa.C.S.A. § 9721(b) or any mitigating evidence when it imposed the sentence in question?
2. Whether the evidence introduced at trial and all reasonable inferences derived from the evidentiary record, viewed in the light most favorable to the Commonwealth as verdict winner, is insufficient to establish all elements of robbery beyond a reasonable doubt, as to [Adams]?
3. Whether the evidence introduced at trial and all reasonable inferences derived from the evidentiary record, viewed in the light most favorable to the Commonwealth as verdict winner, is insufficient to establish all elements of Theft by Unlawful Taking beyond a reasonable doubt, as to [Adams]?
4. Whether the evidence introduced at trial and all reasonable inferences derived from the evidentiary record, viewed in the light most favorable to the Commonwealth as verdict winner, is insufficient to establish all elements of

³ Following the filing of the post-sentence motion, Adams's counsel filed a motion to withdraw. The trial court granted the motion and appointed new counsel, who filed a notice of appeal.

Receiving Stolen Property beyond a reasonable doubt, as to [Adams]?

5. Whether the evidence introduced at trial and all reasonable inferences derived from the evidentiary record, viewed in the light most favorable to the Commonwealth as verdict winner, is insufficient to establish all elements of Terroristic Threats beyond a reasonable doubt, as to [Adams]?

6. Whether the evidence introduced at trial and all reasonable inferences derived from the evidentiary record, viewed in the light most favorable to the Commonwealth as verdict winner, is insufficient to establish all elements of Simple Assault beyond a reasonable doubt, as to [Adams]?

7. Whether the evidence introduced at trial and all reasonable inferences derived from the evidentiary record, viewed in the light most favorable to the Commonwealth as verdict winner, is insufficient to establish all elements of R[eckless Endangerment] beyond a reasonable doubt, as to [Adams]?

8. Whether the verdict of guilty on all offenses was against the weight of the evidence?

Adams's Br. at 12-13.

Adams first alleges that the trial court abused its discretion when it sentenced him in the aggravated range without considering "all of the sentencing factors of 42 Pa.C.S.A. § 9721(b) or any mitigating evidence." Adams's Br. at 21. He claims the court failed to consider his age, education, and mental health, and failed to consider the protection of the public, gravity of the offense, and Adams's rehabilitative needs. *Id.* at 21-22.

To obtain review of discretionary aspects of sentencing, the appellant must have: 1) filed a timely appeal; 2) preserved the claim at sentencing or in a post-sentence motion; 3) included a concise statement for reasons relied

upon on appeal; and 4) and raised a substantial question. **See Commonwealth v. Dempster**, 187 A.3d 266, 272 (Pa.Super. 2018) (*en banc*); Pa.R.A.P. 2119(f) (requiring appellant challenging discretionary aspects of sentence to “set forth in a separate section of the brief a concise statement of the reasons relied upon for allowance of appeal with respect to the discretionary aspects of a sentence”).

Here, Adams fails to satisfy the second requirement. He did not preserve his sentencing claim at the sentencing hearing or in a post-sentence motion. As such, his discretionary aspects of sentencing claim is waived. **See Commonwealth v. Cartrette**, 83 A.3d 1030, 1042-43 (Pa.Super. 2013) (*en banc*) (holding discretionary aspects of sentencing claim not raised in a post-sentence motion was waived).

Adams next contends, in issues two through seven, that the evidence was insufficient. He addresses these claims in a single section of the argument section of his brief in which he contends that the evidence failed to “establish all elements for the crimes for which he was charged, beyond a reasonable doubt.” Adams’s Br. at 22. He cites the law for attempted murder and states that he “was hit in the head with a baseball bat three times before he shot Safee in the chest,” and claims that “[a]s a result of getting hit in the head, he was bleeding and had a gash on his head.” **Id.** at 23-24. He states it “was clearly a self-defense situation.” **Id.** at 24.

We conclude Adams has waived his sufficiency challenges. Adams was not charged with, nor convicted of, attempted murder, and he makes no

argument about any element of any of the crimes of which he was convicted. Further, the trial court found him not guilty as to the crimes against Safee, and Adams did not raise a self-defense claim as to the crimes against Fuqua. N.T., Nov. 1, 2024, at 179 (Adams testifying he did not approach Fuqua or take her phone). Adams therefore waived any challenge to the sufficiency of those convictions for failing to present argument on appeal.⁴ **See Commonwealth v. Johnson**, 985 A.2d 915, 924 (Pa. 2009) (“[W]here an appellate brief fails to provide any discussion of a claim with citation to relevant authority or fails to develop the issue in any other meaningful fashion capable of review, that claim is waived”); **see also** Pa.R.A.P. 2119(a) (requiring each part of argument to be “followed by such discussion and citation of authorities as are deemed pertinent”).

Adams next contends the verdict was against the weight of the evidence. He states that he:

was hit in the head with a baseball bat three times before he shot Safee in the chest. As a result of getting hit in the head, he was bleeding and had a gash on his head. This was clearly a self-defense situation.

Adams’s Br. at 26 (citations to record omitted).

⁴ The trial court adequately addressed the sufficiency of the evidence as to each conviction and concluded the evidence supported the convictions. **See** Trial Ct. Op. at 3-6 (addressing the sufficiency of the evidence to support the robbery, theft by unlawful taking, receiving stolen property, terroristic threats, simple assault, and reckless endangerment convictions and finding the evidence supported each conviction). We agree with the trial court.

A weight claim is for the trial court in the first instance. **See Commonwealth v. Stiles**, 143 A.3d 968, 980 (Pa.Super. 2016). Because the trial court heard the testimony firsthand, we must “give the gravest consideration to the findings and reasons advanced by the trial judge when reviewing a trial court’s determination that the verdict is against the weight of the evidence.” **Commonwealth v. Fallon**, 275 A.3d 1099, 1107 (Pa.Super. 2022) (citation omitted). The trial court may sustain a weight challenge and grant a new trial “when the jury’s verdict is so contrary to the evidence as to shock one’s sense of justice and the award of a new trial is imperative so that right may be given another opportunity to prevail.” **Id.** (citation omitted). We review the trial court’s rejection of a challenge to the weight of the evidence for an abuse of discretion. **Id.**

To the extent this claim challenges Adams’s convictions, which were for robbery, theft by unlawful taking, receiving stolen property, terroristic threats, simple assault, and reckless endangerment, where Fuqua was the victim, we conclude it lacks merit. The trial court determined that its verdict was not against the weight of the evidence:

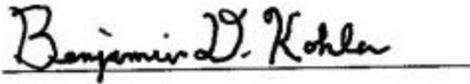
[T]here was more than sufficient evidence supporting each of [Adams’s] convictions. Notwithstanding this court’s ruling as to Safee Rawls’ credibility and whether [Adams] acted in self-defense when he shot Rawls, the remainder of the Commonwealth’s evidence regarding [Adams’s] conduct toward Ms. Fuqua was both credible and competent. The court’s verdict was neither contrary to the law nor did it offend the interests of justice.

Trial Ct. Op. at 7.

We conclude the court did not abuse its discretion in denying the weight claim. This claim fails.

Judgment of sentence affirmed.

Judgment Entered.

A handwritten signature in black ink that reads "Benjamin D. Kohler". The signature is written in a cursive style and is positioned above a solid horizontal line.

Benjamin D. Kohler, Esq.
Prothonotary

Date: 3/10/2026